

IN THE SENATE

SENATE BILL NO. 1258

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER FOR
2 FISCAL YEAR 2020; APPROPRIATING ADDITIONAL MONEYS TO THE STATE APPEL-
3 LATE PUBLIC DEFENDER FOR FISCAL YEAR 2020; PROVIDING REQUIREMENTS FOR
4 THE PAYMENT OF CAPITAL REPRESENTATION COSTS; AND DECLARING AN EMER-
5 GENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. In addition to the appropriation made in Section 1, Chap-
9 ter 110, Laws of 2019, and any other appropriation provided by law, there
10 is hereby appropriated to the State Appellate Public Defender for the Cap-
11 ital and Conflict Representation Program \$140,000 from the General Fund to
12 be expended for operating expenditures for the period July 1, 2019, through
13 June 30, 2020, for the purpose of extraordinary litigation costs in capital
14 cases.

15 SECTION 2. CAPITAL REPRESENTATION COSTS. Notwithstanding any other
16 provision of law to the contrary, of the amounts appropriated in Section 1
17 of this act and in Section 1, Chapter 110, Laws of 2019, for the Capital and
18 Conflict Representation Program, \$234,900 from the General Fund, or so much
19 thereof as is necessary, shall be used solely for costs directly related to
20 the provision of representation in capital cases and only to the extent such
21 costs are exclusive of, and can be identified and accounted for separately
22 and distinctly from, outside counsel costs of noncapital appeals. Any re-
23 maining unexpended and unencumbered amounts not so used shall revert to the
24 General Fund.

25 SECTION 3. An emergency existing therefor, which emergency is hereby
26 declared to exist, this act shall be in full force and effect on and after its
27 passage and approval.