

IN THE SENATE

SENATE BILL NO. 1263

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE STATE VICTIM NOTIFICATION FUND; AMENDING CHAPTER 32, TITLE
2 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3204, IDAHO CODE,
3 TO ESTABLISH A CERTAIN FEE FOR VICTIM NOTIFICATION PURPOSES; AMEND-
4 ING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
5 67-2912, IDAHO CODE, TO ESTABLISH THE STATE VICTIM NOTIFICATION FUND,
6 TO PROVIDE FOR THE PAYMENT OF MONEYS IN SUCH FUND, TO PROVIDE CERTAIN
7 AUTHORITY OF THE DIRECTOR OF THE IDAHO STATE POLICE AND TO PROVIDE FOR
8 THE SOURCE OF MONEYS FOR SUCH FUND.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 32, Title 31, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
13 ignated as Section 31-3204, Idaho Code, and to read as follows:

14 31-3204. VICTIM NOTIFICATION -- FEE. The court shall charge a fee of
15 ten dollars (\$10.00) for victim notification purposes to be paid by each per-
16 son found guilty of each felony or misdemeanor, except when the court orders
17 such fee waived because the person is indigent and unable to pay such fee.
18 Such fee shall be in addition to all other fines and fees levied. Such fee
19 shall be paid to the county treasurer who shall, within five (5) days after
20 the end of the month, pay such fees to the state treasurer for deposit in the
21 state victim notification fund established in section 67-2912, Idaho Code.

22 SECTION 2. That Chapter 29, Title 67, Idaho Code, be, and the same is
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
24 ignated as Section 67-2912, Idaho Code, and to read as follows:

25 67-2912. STATE VICTIM NOTIFICATION FUND. (1) There is hereby estab-
26 lished in the state treasury the state victim notification fund. Moneys
27 in the fund shall be perpetually appropriated to, and shall be used by the
28 director of, the Idaho state police. Moneys deposited to the fund shall
29 be expended for the purpose of defraying the costs of administering the
30 statewide automated victim information and notification (SAVIN) system by
31 the Idaho sheriffs' association for the purpose of satisfying the provi-
32 sions of section 22, article I, of the constitution of the state of Idaho
33 requiring victim notification of offender court and incarceration status.
34 Moneys deposited to the fund shall be paid to the Idaho sheriffs' associa-
35 tion on a quarterly basis for the reimbursement of all costs associated with
36 administering the SAVIN system. The director of the Idaho state police is
37 authorized to allocate up to five percent (5%) of the moneys in the fund for
38 reimbursement of all administrative expenses in relation to its administra-
39 tion of the fund. At the end of each state fiscal year, all moneys remaining
40 in the fund after all costs for the administration of the SAVIN system have

1 been paid, less one quarter's operating and administrative moneys, shall be
2 remitted to the crime victims compensation account established in section
3 72-1009, Idaho Code. The state treasurer shall invest all moneys in the
4 state victim notification fund and interest and proceeds earned shall be
5 retained in the fund. The Idaho sheriffs' association shall provide evi-
6 dence of an independent audit of the moneys received and expenditures made
7 under this section to the Idaho state police on a yearly basis and shall be
8 subject to audit by the Idaho state controller at the discretion of the state
9 controller.

10 (2) The state victim notification fund shall be funded as provided in
11 section 31-3204, Idaho Code.