

PROBATION FEES, BAIL, PEACE OFFICER POWERS



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FISCAL ANALYSIS

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HOUSE BILL 5279 AS PASSED BY THE SENATE

Sponsor: Rep. Gary Woronchak
House Committee: Criminal Justice
Senate Committee: Judiciary

REVISED FLOOR ANALYSIS - 6/13/02

Analyst(s): Marilyn Peterson

SUMMARY

The bill would amend the Code of Criminal Procedure to enact **probation supervision fee increases** that, together with parole supervision fee increases, have been implemented in the current fiscal year under Executive Order 2001-9. According to the State Budget Office and the Department of Corrections, the parole and probation fee increases are expected to increase collections by \$843,800 annually; this revenue increase is reflected in the proposed FY 2002-03 budget for the Department of Corrections, which assumes total parole and probation supervision fee revenues of \$13,031,600. If the proportion of fee revenue received from probationers corresponds with the proportion of probationers in the parole and probation supervised population, then the revenue increase under the bill would be \$667,600 annually.

In addition, by amending a definition of "assaultive crime" to include a variety of additional offenses, the bill would expand application of current **restrictions on bail** for defendants convicted of assaultive crimes and awaiting sentence. The bill thus could increase local correctional costs to the extent that offenders who otherwise might have been released from jail were instead detained.

Finally, the bill would expand and clarify the power of a peace officer, and explicitly a university peace officer, to enforce the law while outside of the geographical boundaries of his or her home jurisdiction. This provision would have no direct fiscal impact on the state or local units of government.

PAROLE AND PROBATION OVERSIGHT FEES

| Offender's Projected Monthly Income | Prior Monthly Fee | New Fee (EO 2001-9 and bill) |
|--|-------------------|--|
| \$0.00 - \$249.99 | \$0 | \$0 |
| \$250.00 - \$499.99 | \$10 | \$10 |
| \$500.00 - \$749.99 | \$20 | \$25 |
| \$750.00 - \$999.99 | \$30 | \$40 |
| \$1,000 and up | \$30 | 5% of monthly income, fee not to exceed \$135.00 |