

Joint Committee on Ways and Means

Carrier – House: Rep. Nolan
Carrier – Senate: Sen. Winters

Revenue: Minimal revenue impact, no statement issued

Fiscal: Fiscal statement issued

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 24 – 0 – 1

House

Yeas: Beyer, Buckley, Freeman, Garrard, Komp, McLane, Nathanson, Nolan, Read, Richardson, G. Smith, Thatcher, Whisnant

Nays:

Exc: Cowan

Senate

Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters

Nays:

Exc:

Prepared By: John Borden, Legislative Fiscal Office

Meeting Date: February 17, 2012

WHAT THE MEASURE DOES: Resolves technical issues with conflict amendments of the following four bills from the 2011 legislative session: HB 3075, HB 2104, HB 2710, and HB 2712. These four bills modified fees that defendants pay when convicted of driving under the influence of intoxicants, and to petition for diversion. The four bills conflicted in regards to the amounts of the fee increase, and the distribution of these funds. HB 4169 clarifies the fee amounts and the distribution of the revenue.

ISSUES DISCUSSED:

- Conflict between 2011 session diversion measures
- Legislative Counsel explanatory cover memorandum
- Revenue impact
- Fiscal impact
- Interim Committee on State Court Justice System Review

EFFECT OF COMMITTEE AMENDMENT: Lowers the District Attorney diversion fee to \$100 and provides for the waiver or deferral of the fee and renames the filing fee to a “program fee.”

BACKGROUND: The 2011 Legislature passed four measures that impacted diversion fees. The timing of when each bill was signed into law by the Governor created reduced diversion fees below what had been anticipated in the 2011-13 Legislatively adopted budget for the Criminal Fines Account.