

STAFF MEASURE SUMMARY

Senate Committee On Judiciary

**Fiscal:** Fiscal impact issued  
**Revenue:** No revenue impact, statement issued (Indeterminate Impact)

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**Action Date:** 05/07/15  
**Action:** Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)  
**Meeting Dates:** 05/07  
**Vote:**  
Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher  
**Prepared By:** Eric Deitrick, Counsel

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**WHAT THE MEASURE DOES:**

Authorizes court to waive unpaid portions of previously imposed fines if payment of fines interferes with the offender's ability to complete drug or alcohol treatment program as condition of supervision. Prohibits court from returning funds to defendant that have already been paid. Authorizes court to enter supplemental judgment modifying court-appointed counsel fees if payment of fees would interfere with offender's ability to pay for drug or alcohol treatment program.

**ISSUES DISCUSSED:**

- When court would waive fines
- Incentives for defendants to complete treatment

**EFFECT OF COMMITTEE AMENDMENT:**

Clarifies that the fee waivers are eligible for offenders engaged in either drug or alcohol treatment.

**BACKGROUND:**

Misdemeanor convictions carry a minimum fine of \$100 and a maximum fine of \$6,250. Felony convictions carry a minimum fine of \$200, with a varying maximum fine depending upon the classification of the felony. In addition, courts often have authority to order an offender to complete a drug treatment program, which can vary in costs.

House Bill 3168-B grants courts continued jurisdiction over offenders to waive previously imposed fines if payment of fines interferes with the offender's ability to complete a drug treatment or alcohol treatment program as a condition of supervision. In addition, the bill authorizes the court to enter a supplemental judgment modifying court-appointed counsel fees if payment of fees would interfere with offender's ability to pay for drug or alcohol treatment program.