

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

House Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:**

Yeas:

Nays:

Exc.:

Prepared By: Whitney Perez, Counsel**Meeting Dates:** 2/3

WHAT THE MEASURE DOES: Directs State Board of Parole and Post-Prison Supervision (Board) to establish by rule community service exchange program for waiver of delinquent fines or debts when payment is barrier to successful reentry in community. Excludes specific fines and debts. Requires agreements with community-based organization be in writing and approved by Board. Requires community-based organization to supervise, record and report community service performed. Directs Board to notify clerk of court of conditional waiver of delinquent fines or debts. Requires that waiver is conditional upon person being free of new conviction for period of 60 months from date of written agreement. Directs permanent waiver of delinquent fines or debts if conviction free for that period. Terminates waiver if convicted of new crime during that period and requires payment of delinquent fines or debts. Defines terms. Adds community service exchange program as alternative to payment of attorney fees.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

BACKGROUND: House Bill 4123 directs the State Board of Parole and Post-Prison Supervision (Board) to establish a community service exchange program. The program would allow individuals who have been incarcerated in a correctional facility and are on active parole or post-prison supervision to earn a waiver of delinquent fines or debts.

Before entering this program, the Board must determine that paying delinquent fines or debts is a barrier to the person's successful reentry into the community. The person must enter into a written agreement with a community-based organization and the agreement must be approved by the board. The community-based organization becomes responsible for supervising, recording and notifying the Board of community service performed. Additionally, the Board must notify the court of waiver of the delinquent fines or debts upon completion of the program. Waiver is conditional until 60 months from date of written agreement has passed. If the person is convicted of new crime during that 60 month period, the conditional waiver is terminated and the person is responsible for delinquent fines or debts.

HB 4123 excludes restitution, compensatory fines, support order obligations, minimum fines for misdemeanors and felonies, and traffic fines from the program. Additionally, HB 4123 adds community service exchange programs as alternative to payment of attorney fees.