

House Research Act Summary

CHAPTER: 111

SESSION: 1999 Regular Session

TOPIC: Local correctional fees

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Overview

This act gives local correctional agencies authority to impose and collect fees for correctional services and removes the requirement that the court authorize these fees.

Section

- 1 Fee collection.** Removes the requirement in current law that fees be determined by the court. Allows the chief executive officer of a local correctional agency to impose and collect fees for local corrections.
- 2 Exemption from fee.** Removes the authority of a court to waive payment of local correctional fees and gives that authority solely to the chief executive officer of the local correctional agency if circumstances justify a waiver.
- 3 Restitution payment priority.** Retains the requirement in current law that restitution payments take priority over local corrections fees. Allows simultaneous payment of both restitution and local corrections fees if an offender is making reasonable payments to satisfy the restitution obligation.
- 4 Imposition of fee.** Removes the authority of courts to impose local correction fees and gives local correctional agencies authority to collect fees.
- 5 Report required.** Requires the chief executive officer of each local correctional agency to cooperate in developing a uniform schedule on local correctional fees that is reasonably related to defendants' abilities to pay and the actual costs of correctional services. Requires a report by January 15, 2000, to the legislative committees with jurisdiction over criminal justice policy on the recommendations developed by chief executive officers of local correctional agencies.
- 6 Repealer.** Repeals section 609.102, subdivision 3, which allows courts to waive payment of a local correctional fee and subdivision 4, which requires courts to order restitution paid before a local corrections fee.

7 **Effective date.** August 1, 1999 for crimes committed on or after that date.