1	CRIMINAL FINES SURCHARGE AMENDMENTS
2	2000 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Blake D. Chard
5	AN ACT RELATING TO CORRECTIONS AND STATE GOVERNMENT; AMENDING THE
6	ALLOCATION OF THE CRIMINAL FINES SURCHARGE; PROVIDING FOR
7	APPROPRIATING TO CORRECTIONS, FOR OFFICER TRAINING, A PORTION OF THE
8	SURCHARGE CURRENTLY DEPOSITED IN THE GENERAL FUND.
9	This act affects sections of Utah Code Annotated 1953 as follows:
10	AMENDS:
11	63-63a-4, as last amended by Chapter 308, Laws of Utah 1997
12	Be it enacted by the Legislature of the state of Utah:
13	Section 1. Section 63-63a-4 is amended to read:
14	63-63a-4. Reparation fund Victim reparation and specific appropriations.
15	(1) In this section:
16	(a) "Reparation fund" means the Crime Victim Reparation Trust Fund.
17	(b) "Safety fund" means the Public Safety Support Fund.
18	(2) (a) There is created an expendable trust fund known as the Crime Victim Reparation
19	Trust Fund to be administered and distributed as provided in this chapter by the Reparations Office
20	under Title 63, Chapter 25a, Part 4, Crime Victims' Reparations Act, in cooperation with the
21	Division of Finance.
22	(b) Monies deposited in this fund are for victim reparations and, as appropriated, for
23	administrative costs of the Reparations Office under Title 63, Chapter 25a, Part 4, Crime Victims'
24	Reparations Act.
25	(3) (a) There is created a restricted revenue fund in the General Fund known as the Public
26	Safety Support Fund to be administered and distributed by the Department of Public Safety in
27	cooperation with the Division of Finance as provided in this chapter.

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28	(b) Monies deposited in this fund shall be appropriated to:
29	(i) the Division of Peace Officer Standards and Training (POST) as described in Title 53,
30	Chapter 6, Peace Officer Standards and Training Act; and
31	(ii) the Office of the Attorney General for the support of the Utah Prosecution Council
32	established in Title 67, Chapter 5a, and the fulfillment of the council's duties.
33	(4) (a) There is created a restricted revenue fund in the General Fund known as the
34	Corrections Training Fund to be administered and distributed by the Department of Corrections
35	in cooperation with the Division of Finance as provided in this chapter.
36	(b) Monies deposited in this fund shall be appropriated to the Department of Corrections.
37	[(4)] (5) The Division of Finance shall allocate from the collected surcharge established
38	in Section 63-63a-1:
39	(a) 35% to the reparation fund, but not to exceed \$2,500,000 for fiscal year 1993-94;
40	(b) 18.5% to the safety fund for POST, but not to exceed the amount appropriated by the
41	Legislature; [and]
42	(c) 3% to the safety fund for support of the Utah Prosecution Council, but not to exceed
43	the amount appropriated by the Legislature[-]; and
44	(d) 8.25% to the Corrections Training Fund for correctional officer training, but not to
45	exceed the amount appropriated by the Legislature.
46	[(5)] (6) (a) In addition to the funding provided by other sections of this chapter, a
47	percentage of the income earned by inmates working for correctional industries in a federally
48	certified private sector/prison industries enhancement program shall be deposited in the reparation
49	fund.
50	(b) The percentage of income deducted from inmate pay under Subsection (6)(a) shall be
51	determined by the executive director of the Department of Corrections in accordance with the
52	requirements of the private sector/prison industries enhancement program.
53	[(6)] (7) (a) In addition to the money collected from the surcharge, judges are encouraged
54	to, and may in their discretion, impose additional reparations to be paid into the reparation fund
55	by convicted criminals.
56	(b) The additional discretionary reparations may not exceed the statutory maximum fine
57	permitted by Title 76, Utah Criminal Code, for that offense.

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Legislative Review Note as of 2-2-00 2:40 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel