

**INTERSTATE COMPACT FOR ADULT
OFFENDER SUPERVISION - APPLICATION**

FEE

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen Hale

LONG TITLE

General Description:

This bill provides for an application process and fee for adult offenders who want to move out of state, but are still under the supervision of the Department of Corrections.

Highlighted Provisions:

This bill:

- ▶ provides a process by which adult offenders under the supervision of the Department of Corrections may move to another state;
- ▶ allows the Department of Corrections to create an application for a transfer out of state;
- ▶ sets an application fee;
- ▶ creates a restricted account within the General Fund; and
- ▶ requires that the fee be deposited in the restricted account for the administration of the Interstate Compact.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

77-28c-104, Utah Code Annotated 1953

77-28c-105, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **77-28c-104** is enacted to read:

77-28c-104. Definitions -- Compact transfer application fee.

(1) As used in this section:

(a) "Department" means the Department of Corrections.

(b) "Offender" has the same meaning as provided in Section 77-28c-103, Article II(a)(9).

(2) (a) Offenders desiring a transfer of supervision to another state under the Interstate Compact for Adult Offender Supervision shall apply to the department for transfer.

(b) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the department shall make rules governing the transfer of supervision of an offender.

(3) The department shall collect a fee of \$50 from each offender applying for transfer of supervision to another state under the Interstate Compact for Adult Offender Supervision.

Section 2. Section **77-28c-105** is enacted to read:

77-28c-105. Compact for Adult Offender Supervision Restricted Account.

(1) There is created within the General Fund, a restricted account known as the Interstate Compact for Adult Offender Supervision Restricted Account.

(2) Monies in the account shall consist of the compact application fee collected by the department for a transfer of supervision under the provisions of Subsection 77-28c-104(3).

(3) Upon appropriation by the Legislature, monies in the account shall be used:

(a) to cover costs incurred in the collection of the fee; and

(b) for the administration of the Interstate Compact for Adult Offender Supervision, including the payment of the annual assessment levied under Subsection 77-28c-103, Article X(b).