



LEGISLATURE OF THE STATE OF IDAHO



Sixty-seventh Legislature

First Regular Session - 2023

IN THE _____

BILL NO. _____

BY _____

AN ACT

1 RELATING TO THE COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE AND TO
 2 DOMESTIC VIOLENCE PROJECT GRANTS; AMENDING SECTION 39-5204, IDAHO
 3 CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO PROVIDE FOR A CERTAIN
 4 SUBCOMMITTEE; AMENDING SECTION 39-5205, IDAHO CODE, TO PROVIDE FOR THE
 5 APPOINTMENT OF SUBCOMMITTEE MEMBERS AND TO MAKE TECHNICAL CORRECTIONS;
 6 AMENDING SECTION 39-5206, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND
 7 EXPENSES OF SUBCOMMITTEE MEMBERS; AMENDING SECTION 39-5209, IDAHO
 8 CODE, TO REVISE PROVISIONS REGARDING CERTAIN RULES; AMENDING SECTION
 9 39-5211, IDAHO CODE, TO REMOVE A REIMBURSEMENT REQUIREMENT AND TO MAKE
 10 A TECHNICAL CORRECTION; AND AMENDING SECTION 39-5212, IDAHO CODE, TO
 11 REMOVE PROVISIONS REGARDING PRIORITY FOR CERTAIN PROJECTS AND TO MAKE A
 12 TECHNICAL CORRECTION.
 13

14 Be It Enacted by the Legislature of the State of Idaho:

15 SECTION 1. That Section 39-5204, Idaho Code, be, and the same is hereby
 16 amended to read as follows:

17 39-5204. COMPOSITION. (1) The council shall consist of seven (7) mem-
 18 bers appointed by the governor. At least one (1) member shall reside in each
 19 of the substate regions established pursuant to section ~~39-104~~ 39-408, Idaho
 20 Code. Members shall represent persons who are victims of domestic violence,
 21 care providers, law enforcement officials, medical and mental health per-
 22 sonnel, counselors, and interested and concerned members of the general pub-
 23 lic.

24 (2) The council may establish a standing offender intervention program
 25 oversight subcommittee and appoint no more than seven (7) members. Subcom-
 26 mittee members may reside anywhere in Idaho and may represent:

- 27 (a) Persons who are victims of domestic violence;
- 28 (b) Rehabilitated domestic violence offenders;
- 29 (c) Domestic violence court coordinators;
- 30 (d) Law enforcement personnel;
- 31 (e) Probation or corrections personnel;
- 32 (f) Attorneys who work with domestic violence victims or offenders;
- 33 (g) Former offender intervention program managers or domestic violence
 34 evaluators; or
- 35 (h) Interested and concerned members of the general public.

36 SECTION 2. That Section 39-5205, Idaho Code, be, and the same is hereby
 37 amended to read as follows:

38 39-5205. APPOINTMENT AND TERM OF OFFICE. Each member of the council or
 39 member of the standing offender intervention program oversight subcommit-
 40 tee shall be appointed for a term of three (3) years, except that of the mem-



1 ~~bers first appointed~~; two (2) members shall be appointed for a term of one
2 (1) year, two (2) members shall be appointed for a term of two (2) years, and
3 three (3) members shall be appointed for a term of three (3) years. If a va-
4 cancy occurs, a new member shall be appointed in accordance with the provi-
5 sions of the original appointment for the unexpired portion of the vacated
6 term. Members may be replaced because of poor attendance, lack of participa-
7 tion in the council's work, or malfeasance in office.

8 SECTION 3. That Section 39-5206, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 39-5206. COMPENSATION AND EXPENSES. Members of the council and mem-
11 bers of the standing offender intervention program oversight subcommittee
12 shall be entitled to receive actual and necessary expenses plus compensation
13 as provided in section 59-509(g), Idaho Code.

14 SECTION 4. That Section 39-5209, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 39-5209. RULES. The council shall, in compliance with the provisions
17 of chapter 52, title 67, Idaho Code, promulgate, adopt, and amend rules and
18 criteria to:

19 (1) Implement the provisions of this chapter regarding applications
20 and grants for domestic violence project funding and for funding under any
21 other grant program administered by the council. ~~Such promulgation, adop-~~
22 ~~tion and amendment shall be in compliance with the provisions of chapter 52,~~
23 ~~title 67, Idaho Code.; and~~

24 (2) Establish standards for counseling or treatment for domestic vio-
25 lence offenders pursuant to section 18-918(7)(d), Idaho Code.

26 SECTION 5. That Section 39-5211, Idaho Code, be, and the same is hereby
27 amended to read as follows:

28 39-5211. QUALIFICATIONS OF APPLICANTS. To qualify for domestic vio-
29 lence grants under the provisions of this chapter, an applicant must:

30 (1) Propose to operate and provide an eligible project;

31 (2) Be a private, nonprofit corporation of the state of Idaho, or a pub-
32 lic entity of the state of Idaho;

33 (3) Provide matching moneys equal to twenty-five percent (25%) of the
34 amount of the grant. The applicant may contribute to or provide the required
35 local matching funds. The value of in-kind contributions and volunteer
36 labor from the community may be computed and included as part of the local
37 matching requirement;

38 (4) Require persons employed by or volunteering services to the project
39 to maintain the confidentiality of any information that would identify in-
40 dividuals served by the project; such information identifying individuals
41 served by the project shall be subject to disclosure according to chapter 1,
42 title 74, Idaho Code; and

43 ~~(5) Require victims to reimburse the project monetarily or through vol-~~
44 ~~unteer efforts for services provided as they are able to do so. Minimum re-~~

1 ~~imbursement may be established by the council, with a sliding scale of reim-~~
2 ~~bursement based on the victim's ability to pay;~~

3 ~~(6) (5) Provide a policy of nondiscrimination in its admissions and pro-~~
4 ~~vision of services on the basis of race, religion, gender, color, age, mari-~~
5 ~~tal status, national origin or ancestry.~~

6 SECTION 6. That Section 39-5212, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 39-5212. DOMESTIC VIOLENCE PROJECT ACCOUNT. There is hereby created
9 in the state operating fund the domestic violence project account. Moneys
10 received from the fees imposed by sections 39-5213, ~~Idaho Code,~~ and section
11 39-6312, Idaho Code, shall be credited to the account and shall be perpetu-
12 ally appropriated to the council on domestic violence and victim assistance
13 for grants for domestic violence projects and to meet the costs of maintain-
14 ing the operation of the council.

15 ~~Eligible projects shall be given priority by the council based upon~~
16 ~~an allocation of funds to projects in the seven (7) substate regions es-~~
17 ~~tablished pursuant to section 39-104, Idaho Code, in the proportion that~~
18 ~~marriage licenses are filed in each region.~~