

HB 1253 -- Costs of Criminal Case Investigation

Sponsor: Ruzicka

This bill requires any person who pleads guilty to or is found guilty of a misdemeanor or felony offense other than a traffic violation or any person who has his or her probation or parole revoked to be liable for the costs of specified personnel involved in the investigation and prosecution of his or her case. In its main provisions, the bill:

(1) Requires the court to include these costs in every judgment rendered against the convicted person;

(2) Requires the court to impose the costs of investigation and prosecution in an appropriate amount, regardless of the defendant's ability to pay;

(3) Specifies that the court must require a defendant to pay the costs within a specific period of time or in specified installments;

(4) Specifies that if a defendant is placed on probation or parole, payment of any of these costs must be a condition of probation or parole, and the court can revoke probation or parole if the defendant fails to pay these costs;

(5) Requires the prosecuting or circuit attorney, prior to adjudication, to file with the court a statement that contains the requested amount of costs for the office, for each investigative agency involved, and for any probation or parole office involved;

(6) Specifies that costs for misdemeanor cases and probation and parole revocation hearings must be between \$50 and \$300 per case and costs for felony cases must be between \$100 and \$750 per case, unless the prosecuting or circuit attorney submits a detailed statement along with sufficient supporting documentation demonstrating the need for the imposition of costs higher than the designated range;

(7) Specifies that costs can include any actual expenses incurred in conducting the investigation and prosecution of the case, including salaries of employees of the prosecuting or circuit attorney's office, the investigative agencies, and the probation and parole office; and

(8) Requires the circuit clerk to collect and dispense cost payments in any case.