

**No. 12. An act relating to payment of diversion program fees.**

(H.204)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 163 is amended to read:

§ 163. JUVENILE COURT DIVERSION PROJECT

\* \* \*

(c) All diversion projects receiving financial assistance from the attorney general shall adhere to the following provisions:

\* \* \*

(9) Each participant shall pay a fee to the local juvenile court diversion project. The amount of the fee shall be determined by project officers based upon the financial capabilities of the participant. The fee shall not exceed \$150.00. The fee shall be a debt due from the participant, ~~but shall not be grounds for exclusion from participation in the program and payment of such~~ shall be required for successful completion of the program. Fees under this subdivision shall be paid to the court diversion fund and shall be used solely for the purpose of the court diversion program.

Sec. 2. 3 V.S.A. § 164 is amended to read:

§ 164. ADULT COURT DIVERSION PROJECT

\* \* \*

(c) All adult court diversion projects receiving financial assistance from the attorney general shall adhere to the following provisions:

\* \* \*

(9) Each participant shall pay a fee to the local adult court diversion project. The amount of the fee shall be determined by project officers or employees based upon the financial capabilities of the participant. The fee shall not exceed \$300.00. The fee shall be a debt due from the participant, ~~but shall not be grounds for exclusion from participation in the program and~~ payment of such shall be required for successful completion of the program. Fees under this subdivision shall be paid to the court diversion fund and shall be used solely for the purposes of the court diversion program.

Sec. 3. REPORT

The attorney general shall report to the senate and house committees on judiciary no later than January 15, 2011 on the impact of Sec. 1 and Sec. 2 of this act on the state's court diversion programs, including the impact on the number of people successfully completing diversion programs.

Sec. 4. SUNSET

Sec. 1 of this act (juvenile court diversion project) and Sec. 2 of this act (adult court diversion project) shall be repealed on July 1, 2011.

Approved: May 7, 2009