

1 H.488

2 Introduced by Representative Taylor of Colchester

3 Referred to Committee on

4 Date:

5 Subject: Corrections; administration; fees

6 Statement of purpose of bill as introduced: This bill proposes to eliminate the
7 authority of the Commissioner of Corrections to (1) enter into agreements with
8 private collection agencies to collect supervisory fees, and (2) eliminate the
9 supervisory fee collected from each person under the supervision of the
10 Department of Corrections who is on probation, furlough, pre-approved
11 furlough, supervised community sentence, or parole.

12 An act relating to the authority of the Commissioner of Corrections to
13 collect supervisory fees

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

15 Sec. 1. 28 V.S.A. § 102 is amended to read:

16 § 102. COMMISSIONER OF CORRECTIONS; APPOINTMENT;

17 POWERS; RESPONSIBILITIES

18 (a) The Department is under the direction of the Commissioner, who shall
19 be appointed by the Secretary of Human Services with the approval of the

1 Governor and shall serve at the pleasure of the Secretary. The Commissioner's
2 salary shall be fixed by the Governor within the appropriation for that purpose.

3 (b) The Commissioner is charged with the following powers:

4 * * *

5 (12) To enter into contracts with private collection agencies for the
6 collection of ~~supervisory fees imposed by this title and~~ fines, penalties, and
7 restitution imposed under Title 13. The Commissioner may agree to pay
8 collection agencies a fixed rate for services rendered or a percentage of the
9 amount collected that shall be added to any amounts and may be recovered as
10 an administrative cost of collection. Any such fixed rate or percentage may be
11 deducted directly by the collection agency on a pro rata basis from any portion
12 of the money so collected.

13 * * *

14 (c) The Commissioner is charged with the following responsibilities:

15 * * *

16 (14) ~~To collect a fee up to the amount of \$30.00 per month as a~~
17 ~~supervisory fee from each person under the supervision of the Department who~~
18 ~~is on probation, furlough, pre approved furlough, supervised community~~
19 ~~sentence, or parole. Supervisory fees collected by the Department shall be~~
20 ~~credited to a special supervision and victim restitution fund, established and~~
21 ~~managed pursuant to 32 V.S.A. chapter 7, subchapter 5, for this purpose. The~~

1 ~~Commissioner shall adopt rules governing the collection of supervisory fees,~~
2 ~~including the maximum period of time offenders are subject to supervision fees~~
3 ~~and the offender's ability to pay such fees. [Repealed.]~~

4 * * *

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on July 1, 2022.