



IDAHO COUNCIL ON DOMESTIC VIOLENCE & VICTIM ASSISTANCE

304 North 8th Street, Suite 140

Boise, ID 83702

February 21, 2020

Re: H434 Marriage Licenses/Repeal, Amendment

Dear Judiciary, Rules & Administration Committee,

The Council on Domestic Violence and Victim Assistance (Council) writes to inform the committee about a consequence of H434 that is not addressed in the fiscal note of the bill. The bill strikes marriage licenses from Sections 39-5210, 39-5212, and 39-5213. In 1982, these sections established the Domestic Violence Project account. The purpose was to create a dedicated fund derived from fees for marriage licenses (\$15 per license) and divorce actions (\$20 per filing) to be perpetually appropriated to the Council to distribute grants for domestic violence projects and to meet the costs of maintaining operations of the Council. The removal of marriage license fees from this dedicated fund severely impacts the Council's ability to meet its mission.

Revenue from this fund for state fiscal years 2011-2019 ranged from \$289,691 to \$332,123, respectively. The Council distributes \$171,800 of this fund to domestic violence programs in Idaho communities, in proportion to marriage licenses filed in each region. The remainder is utilized for Council operations. Marriage licenses makes up approximately 70 percent of this revenue. If this fee is taken out of the dedicated fund, it leaves the Council and the domestic violence programs it funds in a deficit. Because of the dedicated fee structure, the Council receives a small amount of general fund revenue, approximately \$16,000 annually. In short, it would be impossible to maintain current levels of operations without increasing the state's general fund appropriation to the Council significantly.

While H434 directs counties to continue to collect the \$15 fee and distribute to domestic violence projects within the county, the bill does not establish eligibility criteria for domestic violence projects. Currently, there are not domestic violence programs and services in every county. There are 16 domestic violence programs that meet the eligibility criteria set forth in Section 39-5210. These programs serve citizens residing in neighboring counties. Since H434 does not include a regional provision for the marriage license fees, these programs will not receive funding at the level they currently receive from the State. Additionally, this funding shift will benefit larger counties and leave very little funding for less populated counties.

For these reasons the Council opposes H434 and wishes to inform committee members of the full consequences of advancing H434. We welcome any questions regarding the Council's concerns.

Sincerely,

Nicole Fitzgerald
Executive Director