



# 2020 LEGISLATIVE REVIEW

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## INTRODUCTION

The 2020 legislative session picked up right where the 2019 legislature left off. Friction between the House and Senate Leadership was palpable. Disagreements over rule implementation and offices for House members from the prior year were not forgotten. This made it difficult to get the two sides to work together on any issues. In addition, one trend we saw this session, part of a growing trend across the nation, was an attempt to preempt local government authority. From property tax legislation to driving while using a hand-held device, taking control away from local governments was frequently used as justification to vote for a piece of legislation on the House side of the aisle. The 2020 session was unpredictable starting with property taxes and a strong economy and ending with coronavirus and uncertainty.

Property tax relief was a dominant topic during the 2020 legislative session. The media and many legislators were convinced that some sort of property tax relief would occur, however the House and Senate varied widely on how to provide property tax relief. Updating the circuit breaker and re-indexing the homeowners exemption had broad support in the Senate and with many in the House, but were held up due to ideological differences regarding how to address rising property tax budgets. Many different bills were proposed, however in the end, the House and Senate agreed to create an interim committee to study property taxes over the next few years.

The IAC policy team met frequently with House and Senate leadership and the Governor's Office to ensure that the full ramifications of the many proposals affecting the counties were understood and to persuade them to consider the most palatable options. We also met regularly with leaders from other units of local government and worked together to prevent multiple pieces of harmful legislation from moving forward.

The fact that 2020 is an election year created additional pressure on legislators wanting to prove they were working on issues relevant to primary voters. This made it even more difficult to focus on consensus building and led to many hot-button, red meat partisan issues being proposed to try to appeal to the base of the legislators' respective parties.

The big surprise of the 2020 session was the fact that no action was taken on how counties will fund Medicaid expansion. In his state of the state address, the Governor recommended taking \$8.5 million from county indigent fund savings to aid in funding Medicaid, but the House never came to a consensus on a bill. No bill ever made it to the Senate side of the aisle.

Coronavirus crept in at the end of the session affecting decision making in both legislative bodies and in Governor Little's office. The virus also affected a transportation bill to fund bridges out of the general fund due to the sudden uncertainty in the economy. The legislature ended with uncertainty hanging in the air. Idaho has changed so rapidly over the past two months that it is difficult to predict what the next legislative session will bring, but whatever it is, the IAC policy team will be ready to continue building support for counties in the legislature and keeping the IAC membership informed.

## LEGISLATIVE COMMITTEE

### CHAIR

Justin Baldwin  
*Gooding Assessor*

### VICE CHAIR

Donna Peterson  
*Payette Treasurer*

### IACA

Brad Wills  
*Twin Falls Assessor*

### IACC

Doug Zenner  
*Nez Perce Commissioner*

### IACRC

Carrie Bird  
*Clearwater Clerk*

### ISACC

Lucky Bourn  
*Minidoka Coroner*

### IPAA

Bryan Taylor  
*Canyon Prosecutor*

### ISA

Kieran Donahue  
*Canyon Sheriff*

### IACT

Tracie Lloyd  
*Canyon Treasurer*

### DISTRICT 1

Dan Dinning  
*Boundary Commissioner*

### DISTRICT 2

James Zehner  
*Idaho Assessor*

### DISTRICT 3

Tom Dale  
*Canyon Commissioner*

### DISTRICT 4

Don Hall  
*Twin Falls Commissioner*

### DISTRICT 5

Craig Rowland  
*Bingham Sheriff*

### DISTRICT 6

Brent Mendenhall  
*Madison Commissioner*

## POLICY TEAM

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## STATISTICAL SUMMARY

Year	Start	End	Days	House Bills			Senate Bills			Total Bills			IAC Initiated Legislation
				Introduced	Passed	Vetoed	Introduced	Passed	Vetoed	Introduced	Passed	Vetoed	
2011	10-Jan	7-Apr	88	353	204	1	212	132	0	565	336	1	3
2012	9-Jan	29-Mar	81	350	211	0	204	131	0	554	342	0	12
2013	7-Jan	4-Apr	88	345	217	1	200	139	1	545	356	2	6
2014	6-Jan	20-Mar	74	309	184	0	233	173	0	542	357	0	12
2015	12-Jan	11-Apr	89	330	209	2	193	142	2	523	351	4	10
2016	11-Jan	25-Mar	75	320	211	1	237	168	1	557	379	2	11
2017	9-Jan	29-Mar	80	334	203	6	206	142	2	540	345	8	7
2018	8-Jan	28-Mar	80	385	226	2	176	129	0	561	355	2	7
2019	7-Jan	11-Apr	95	307	185	1	215	146	1	522	331	2	11
2020	6-Jan	20-Mar	74	344	202	5	215	145	1	559	347	6	8
10-Year Average			82.4	337.7	205.2	1.9	209.1	144.7	0.8	546.8	349.9	2.7	8.7

## IAC INITIATED LEGISLATION

During the 2020 Session, the IAC Policy Team worked hard to advance IAC legislation with a lot of success. We introduced eight bills. Four started in the House and four started in the Senate. Six of the eight bills passed the legislature and were signed into law.

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H349</u></a>	<p><b>Marriage License Clarification</b></p> <p>This legislation regarding the issuance of marriage licenses would have removed “the department as required” from Section 32-403(2), Idaho Code, to remove ambiguity regarding what proof of residency information county clerks are required to collect. The Governor’s Office introduced this legislation for IAC thinking that it would be a simple fix. After introduction, the Idaho ACLU reached out with concerns regarding this change. After discussions with the ACLU and the Governor’s Office, the Governor’s Office decided against proceeding with this legislation to prevent possible lawsuits.</p>	Held in House Judiciary & Rules
<a href="#"><u>H429aa</u></a>	<p><b>Public Defense</b></p> <p>The purpose of this bill was to create a pilot program giving the Public Defense Commission (PDC) the authority and responsibility to administer, supervise, and direct public defenders of four participating counties in the Second Judicial District in accordance with indigent defense standards. IAC did not expect this legislation to make it out of committee, so we were pleased to see that it received as many votes as it did on the House floor. The goal was to start a real conversation with stakeholders regarding how public defense should be managed and funded. The PDC committed to having ongoing conversations with us regarding this idea.</p>	Failed House Floor  Vote Count: 27-33-10
<a href="#"><u>H463</u></a>	<p><b>Odyssey Fees</b></p> <p>This legislation creates a new section in the Juvenile Corrections Act authorizing counties to create a juvenile pretrial supervision program and to collect associated fees. The legislation also authorizes counties to collect electronic monitoring and drug and alcohol testing fees if they provide the services. Lastly, the legislation allows for the collection of adult pretrial supervision fees for a withheld judgment.</p>	<b>LAW</b>  Effective: 07/01/20

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## IAC INITIATED LEGISLATION

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H583</u></a>	<p><b>Whistleblower Act</b></p> <p>The legislative intent is to protect public employees that experience adverse action as a result of reporting waste and violations of a law, rule, or regulation. It also puts a reasonable cap (\$370,000 plus inflation) on the amount of non-economic damages (such as emotional distress or pain and suffering) a public employee can recover by adopting the existing statutory cap on non-economic damages set in Section 6-1603(1), Idaho Code, which already applies in personal injury cases. This change is needed to address the Idaho Supreme Court case <i>Eller v. Idaho State Police</i> where the employee was awarded \$30,000 in economic damages (lost wages) and \$1.5 million in non-economic damages. Ultimately, this bill provides a balance of the equities by adequately compensating an employee who suffers retaliation, while reasonably capping the amount taxpayers will have to pay in whistleblower cases.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>S1268a</u></a>	<p><b>Write-in Uniformity</b></p> <p>The election calendar developed by the Secretary of State's Office guides county election officials in determining deadlines and filing dates for consolidated election dates. Write-in candidate deadlines vary depending on the type of election being held. This legislation creates uniformity of deadlines for write-in candidates regardless of the type of election. The new write-in deadline will be the eighth Friday prior to election day.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>S1269</u></a>	<p><b>Sealed Ballots Post Election</b></p> <p>This legislation amends Section 34-1201, Idaho Code, to clarify that all ballots shall remain sealed and secure once they have been counted on election day until the recount period has passed or a recount has been completed.</p>	<p><b>LAW</b></p> <p>Effective: 03/09/20</p>
<a href="#"><u>S1306</u></a>	<p><b>Uncontested City Elections</b></p> <p>With the support of the Association of Idaho Cities, this legislation eliminated the requirement to hold an election if only one person files a declaration of candidacy or if there is only a write-in declaration for each office in a city election. This creates uniformity between how city elections and all local government elections are conducted regarding this issue.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**IAC INITIATED LEGISLATION**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>S1339</u></a>	<p><b>Magistrate Commission, County Clerk</b></p> <p>This legislation adds one clerk to the magistrate commission from that judicial district. To avoid potential conflicts the clerk member’s seat will be temporarily vacated if there is an applicant applying for a magistrate judge position in the clerk member’s county. The clerk member’s seat will also be temporarily vacated for any removal process of a magistrate judge in that judicial district. Representative Paul Amador suggested a change to this bill next year to allow a clerk from a different county to be temporarily appointed if the current clerk member is required to temporarily vacate due to a conflict.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation



## PROPERTY TAXES/PROPERTY TAX ADMINISTRATION

Property taxes were one of the hot button issues of the 2020 Session. Leading into the session, the House GOP Caucus held town halls across the state. Leadership went on the record numerous times making claims that Idaho had the highest property taxes in the nation. The House and Senate established a property tax working group to discuss the issue. Many of our county officials spoke to the working group explaining the struggles counties often encounter to fulfill all of the mandated services with the current level of funding.

In December at the Associated Taxpayers of Idaho conference, a BYU-Idaho economist, Dr. Allan Walburger, presented a study on property tax usage amongst homeowners, commercial properties, and agriculture properties that replicated a study done in 1997. He claimed that agriculture and commercial property owners were not getting as much for the property tax dollars they paid as opposed to homeowners, though he admitted that transportation, among other things, was not taken into account.

This was the narrative that IAC had to combat going into and throughout the 2020 session. IAC expects property taxes to continue being a hot button issue throughout this year and into the 2021 session.

Most of the property tax related bills introduced in the House Revenue and Taxation committee will be covered below along with the outcome of each bill. Though the vast majority of bills listed did not pass the legislature, we have included information about the legislation in preparation for the upcoming property tax interim committee. We expect to see many of these ideas be reasserted during the series of committee meetings. Please note, if bills were introduced and then later introduced with a slight change under a new bill number, only the latter bill is listed below.

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
# <a href="#">H353</a>	<p><b>3% Property Tax Budget Cap</b></p> <p>This bill would establish a hard 3% cap on annual property tax budget increases, including new construction. Local taxing districts would have to choose between budgeting the traditional 3%, up to 3% of new construction property taxes, or a combination of the two. Forgone property taxes accrued prior to 2020 would remain available for future budgets; however, future forgone property taxes would not accrue.</p>	Held in House Revenue & Taxation
* <a href="#">H354</a>	<p><b>Forgone Property Taxes</b></p> <p>This legislation requires taxing districts to affirmatively reserve new forgone property taxes annually by resolution. Failure to reserve forgone property taxes will result in a forfeiture of that year's forgone property taxes.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**PROPERTY TAXES/PROPERTY TAX ADMINISTRATION**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#">H359</a>	<p><b>Eliminate Property Tax/Raise Sales Tax</b></p> <p>Repeals property tax laws. Increases the sales tax to 11%. This bill, sponsored by House Assistant Majority Leader Jason Monks was meant to start a conversation regarding alternatives to property taxes. This may be part of the broader property tax discussion during the property tax interim committee.</p>	Held in House Ways & Means Committee
# <a href="#">H409aaS</a>	<p><b>Property Tax Freeze / 4% Cap</b></p> <p>This legislation started out as an across the board property tax freeze on all local taxing districts (except schools). Leadership in the House met with Senator Rice (the chair of the Senate Local Government and Taxation committee), Senator Grow, and Senator Lakey to try to come up with a compromise on this legislation. IAC met with these Senators as well as House Leadership on numerous occasions to push for 5% or 1% plus new construction for 1 or 2 years as a compromise. When it was clear that 5% was not acceptable, we pushed for 4% or 1% plus new construction. The House would not come to the table regarding an either/or scenario. The Senate amended the property tax freeze bill to instead place a 4% cap on all local government budgets for 3 years. After hard work by IAC members and staff, the Senate voted against H409aaS on a resounding vote of 11-24-0. All of Senate Leadership voted against the bill. In addition, all of the Senators from the Magic Valley and South Eastern Idaho voted “No” as did most of the Senators who represent rural counties.</p>	Failed House Floor  Vote Count: 11-24-0
<a href="#">H518aaS</a>	<p><b>Property Tax Notices</b></p> <p>This bill adds additional disclosure to the property tax notices in Section 74-109(1), Idaho Code. This legislation, sponsored by Representative Doug Ricks, was introduced and passed the House quickly before IAC was able to meet with Ricks to discuss the impact of this bill. Thankfully, Representative Ricks took the time to meet with IAC, Owyhee County Treasurer Annette Dygert, and Ada County Treasurer Beth Mahn regarding concerns about the requirements of the legislation and costs involved. Ricks agreed to ask the Senate to send the bill to the amending order to make changes to make the legislation more doable with less cost. The additional information will now be required either as an insert with the notice or with an included website link or QR code on the tax notice. Visit this <a href="#">link</a> to see all new requirements.</p>	<b>LAW</b>  Effective: 07/01/20

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**PROPERTY TAXES/PROPERTY TAX ADMINISTRATION**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H521</u></a>	<p><b>Tax Exemption for Server Equipment and Data Centers</b></p> <p>Provides a sales and use tax exemption for the purchase or use of eligible server equipment and new data center facilities by a qualifying business. The way this legislation was written prohibits counties from adding the data centers to the new construction roll.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
* <a href="#"><u>H552</u></a>	<p><b>Property Tax Exemption for 100% Disabled Veterans</b></p> <p>This legislation amends Sections 63-704 and 63-705A, Idaho Code, by adding language that increases the number of disabled veterans who are eligible to receive a property tax credit. Aside from the circuit breaker, current code only allows an additional property tax credit for disabled veterans who have a service-connect disability of 100%. Some disabled veterans are being paid at the 100% rate because they are unemployable due to their disability, but their actual service-connected disability is less than 100%. This legislation would open up the tax credit to include all disabled veterans who are being paid at the 100% rate. This updated version includes an emergency clause to include eligibility for the 2020 tax year.</p>	<p><b>LAW</b></p> <p>Retroactive to 1/1/20</p>
<a href="#"><u>H553</u></a>	<p><b>Forest Land Assessment and Taxation</b></p> <p>Owners of 5,000 or more acres of forest land pay taxes according to a complex formula developed by the Committee on Forest Land Taxation Methodology (CFTM). One variable in the formula is productivity classification, which measures how good the soil on a particular parcel is for growing trees. This bill would limit changes to a parcel's productivity classification by freezing productivity classifications as of January 1, 2021. Additionally, it indexes forest land values to average changes in stumpage values. Finally, the legislation places language detailing implementation of the methodology, which has been in administrative rule, into statute.</p>	<p><b>LAW</b></p> <p>Retroactive to 1/1/20</p>
<a href="#"><u>H560aaS</u></a>	<p><b>Ag Land Valuation</b></p> <p>This legislation establishes the method for calculation of agricultural land assessed values using actual use value in the local area when available instead of generalized aggregated data. Actual use value shall be established by capitalization of economic rent or long-term average crop rental at a capitalization rate. It shall be either the rate of interest charged by lenders in the local area for agricultural property loans or by the Spokane office of the farm credit system. Each will be averaged over the past five years, whichever is higher, plus the local tax rates. The legislation also establishes that the value of agricultural land is the actual use of the land and not the speculative value of the land.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**PROPERTY TAXES/PROPERTY TAX ADMINISTRATION**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
# <a href="#">H561aaS</a>	<p><b>Property Assessment, Appeals</b></p> <p>This legislation would have provided that if a property owner has an appraisal or an arm's length transaction on a property within the previous 12 months, the appraisal or arm's length transaction shall be considered the market value of that property for assessment purposes. The Senate amended the bill to remove the language requiring the fee appraised value be the equalized market value. This still presented challenges with assessments. The county assessors actively lobbied Governor Little providing reasons why this legislation was unconstitutional and needed to be vetoed.</p>	Vetoed
# <a href="#">H562</a>	<p><b>Eliminate Homestead Exemption Deadline</b></p> <p>Removes the deadline for applying for the homestead exemption. The exemption shall be effective upon the date of the application. It has been argued that this means that the exemption would be pro rata meaning that the amount of taxes exempted would start from the date of the exemption through the end of the year. This determination has not been confirmed. Please consult with your county's legal council regarding proper interpretation of this statute.</p>	<p><b>LAW</b></p> <p>Effective: 01/01/21</p>
# <a href="#">H590</a>	<p><b>Commercial Property Re-Valuation</b></p> <p>This legislation would have revised provisions regarding the method of determining market value of property for assessment purposes. A cost approach appraisal method would have been required to determine maximum market value for commercial properties. This legislation was held in committee thanks to assessors coming from multiple counties to testify regarding this legislation. They educated the House Revenue and Taxation Committee about how values are actually determined. We anticipate that this topic will likely come up again during the interim committee and in future legislative sessions.</p>	Held in House Revenue & Taxation
* <a href="#">H648</a>	<p><b>Tax Relief Fund</b></p> <p>This legislation was proposed by Representative Monks as a conversation starter two days before sine die. It would have provided property tax relief to homeowners by refunding monies from the tax relief fund (aka the Wayfair money) which was specifically created to provide tax relief. Each homeowner who qualified for the homestead exemption would have received an equal portion of the balance of the fund. The approximate value of the refund check would have been \$180 each. During the session, IAC anticipated that this tax relief fund would be part of the upcoming broader discussion on property tax. However, because of COVID-19, Governor Little tapped \$39 million from the fund to use for additional emergency funding.</p>	Held in House Ways & Means

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**PROPERTY TAXES/PROPERTY TAX ADMINISTRATION**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>HJR005</u></a>	<p><b>Taxation of Public Property</b></p> <p>This proposed constitutional amendment would have amended Article 7, Section 4 of the Idaho Constitution to provide for the taxation of public property leased to private entities if authorized by statute.</p>	Held in House Revenue & Taxation
# <a href="#"><u>S1277aaH</u></a>	<p><b>Homeowners Exemption Application</b></p> <p>This bill originally would have created uniformity across the state regarding the application process for a homeowner’s exemption. Late in the session, the House amended this bill. The proposed amendment raised the homeowners’ exemption to \$112,000. Counties would have been required to cover the additional \$12,000 using new construction. If they did not have enough new construction to cover the additional costs of the exemption, then they would have been required to take it from their base budgets. IAC mobilized county officials to reach out to their senators to express dismay regarding the punitive nature of this bill and encourage their “No” votes. IAC policy staff also spoke directly with Senate leadership to encourage them to not even hold a vote for this bill on the Senate floor. In the morning of the last day of the session, the Senate confirmed that they would not hold a vote on the amendment causing the bill to fail for lack of concurrence from the Senate.</p>	Failed due to lack of concurrence
* <a href="#"><u>S1416</u></a>	<p><b>Increase &amp; Index Homeowners Exemption</b></p> <p>This legislation, introduced late in the session, would have re-established the index on the Idaho Homestead exemption and raised the exemption to \$120,000. The bill, sponsored by Senator Vick, did not receive a vote on the Senate floor, simply because the House signaled that they would not hear the bill. It was meant to be a conversation starter to demonstrate that the Senate attempted to pass meaningful legislation that would ease the property tax burden felt by many Idahoans.</p>	Failed due to lack of vote on Senate Floor
* <a href="#"><u>S1417</u></a>	<p><b>Broaden Circuit Breaker Qualifications</b></p> <p>This legislation, introduced late in the session, would have amended Section 63-705, Idaho Code, to adjust eligibility and benefits of the Property Tax Relief Program (“Circuit Breaker” Program) to provide real property tax relief to Idaho’s low income senior citizens, widow(er)s, blind, fatherless or motherless children under 18 years of age, former prisoners of war, veterans with service-connected disabilities, veteran pensioners with non-service-connected disabilities, and/or disabled as defined in Title 63 of the Idaho Code. This will be part of the broader property tax discussion during the property tax interim committee.</p>	Failed after passing the Senate  House referred to Ways and Means

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## MEDICAID EXPANSION

The 2020 legislative session led to some surprising developments regarding Medicaid expansion. IAC expected this to be a big fight during the session. It was, but not the way we anticipated. The real fight ended up occurring within the House Health and Welfare Committee and between the House and Senate. No Medicaid expansion legislation was introduced until the final weeks of the session.

The general consensus from the Senate was that the state had enough general funds to cover the entire cost of Medicaid expansion. In the end, the House adjourned without voting on legislation to require counties to assist in funding Medicaid expansion.

The only general consensus among the majority in the House was that counties should cover part of Medicaid expansion. Division occurred regarding whether or not the CAT Fund should be eliminated. Another point of contention was the funding formula created to determine each county's contribution. A consensus was out of reach for the House regarding Medicaid expansion, thus no Medicaid expansion legislation advanced through the House and only one bill made it out of the House Health and Welfare Committee.

What does this mean for county funding of Medicaid expansion for upcoming budgeting? It means that the state is required to fund all of Medicaid expansion this year. In addition, it means that the county indigent program and CAT program will still be in place. Counties will need to continue budgeting for the county indigent program for those who are above 138% of the federal poverty level (FPL) who do not have insurance. Counties will also need to continue budgeting for behavioral health expenses associated with involuntary commitments and protective custody holds for individuals with incomes above 138% of the FPL.

Below is a summary of Medicaid expansion legislation introduced this session. Though none of it passed, we have included it here to help prepare for what may be in store next year. In addition, another proposal that was gaining traction, but was sidelined by coronavirus, was an idea to eliminate state funding for public health districts (\$10 million) and have counties assume the costs. In exchange, the state would have fully funded Medicaid expansion. This idea was gaining popularity simply because it did not continually ramp up the amount taken from counties to fund Medicaid expansion each year. However, once COVID-19 began to draw more focus the idea of having the state not be involved in funding public health grew cold based on the perception that the state could be perceived as abandoning health districts.

## MEDICAID EXPANSION

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H533</u></a>	<p><b>County Share/CAT Fund Elimination</b></p> <p>This legislation, sponsored by Representative Britt Raybould, would have suspended the Catastrophic Health Care Cost Program and ended county medically indigent programs after the first year. Counties would have been allowed to continue using the charity levy to cover court-ordered involuntary mental health services. In addition, it would have implemented a sales tax based formula to create a stabilization fund for Medicaid expansion based on quarterly counts of actual Medicaid enrollees statewide. The county cost share would have been 23% of the state's Medicaid expansion costs. County costs would have been capped at 3% annual growth per member per year with LSO reviewing the funding formula every three years. Total county cost share for each quarter would have been subtracted from each county's portion of sales tax revenue sharing before existing formula calculations occurred. It would not have been based on actual numbers in individual counties.</p>	Held in House Health and Welfare
<a href="#"><u>H600</u></a>	<p><b>County Share/CAT Fund Elimination</b></p> <p>This legislation, sponsored by Representative Britt Raybould, was very similar to H533; however, the percentage counties were expected to pay increased from 23 percent to 30 percent of the state costs of Medicaid expansion using sales tax revenue sharing. The total county cost share for each quarter would have been subtracted from each county's portion of sales tax revenue sharing before existing formula calculations occurred. It would not have been based on actual numbers in individual counties.</p>	Held in House Health and Welfare
<a href="#"><u>H642</u></a>	<p><b>County Share/Limit County Medical Assistance</b></p> <p>This bill limited eligibility to the county medically indigent program meaning those over 138% of the FPL who could qualify for insurance but chose not to buy insurance, would not be eligible. The first 17.5% of county revenue sharing monies would have been used to fund a portion of Medicaid expansion. The authorized use of charity levy funds would have expanded allowing them to be used for justice fund programs.</p>	Held on House Calendar

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation



**COURTS/JUDICIARY**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
* <a href="#">H319</a>	<p><b>Post-Conviction Appeals</b></p> <p>This legislation will expand the Idaho State Appellate Public Defender’s authority to represent indigent defendants in misdemeanor and juvenile appeals from the district court to the Idaho Court of Appeals and the Idaho Supreme Court, occurring on or after October 1, 2020. This legislation may fiscally benefit counties as the proposed legislation will help to reduce county public defender office workloads.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#">H384aaS</a>	<p><b>Wrongful Convictions</b></p> <p>Would have established an exoneree compensation law through which individuals wrongfully convicted of a crime would receive compensation from the state.</p>	<p>Vetoed</p>
<a href="#">S1284</a>	<p><b>Indigent Defense Confidentiality</b></p> <p>Provides that certain records regarding indigent public defense be exempt from public records requests.</p>	<p><b>LAW</b></p> <p>Effective: 03/15/20</p>
<a href="#">S1337</a>	<p><b>Distribution of Payments in Infraction Cases</b></p> <p>This legislation was recommended by the Administrative Office of the Courts to ensure two statutory fees that are sometimes ordered by the court were included in the priority of payments schedule. These fees are fines entered on behalf of victims of violent crime and costs of law enforcement investigations of controlled substance violations. It also seeks to add a final category for any statutorily authorized payments not listed in the statute.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#">S1356</a>	<p><b>First District Additional Judge</b></p> <p>This bill adds one new district judge position with resident chambers in Bonner County, beginning October 1, 2020. The state will set aside approximately \$271,300 in general funds to cover the salary and benefits for the district judge and for a court reporter as required by Section 1-1101, Idaho Code.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation



**LAW ENFORCEMENT/PUBLIC SAFETY**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H405aaS</u></a>	<p><b>DUI Diversion Program</b></p> <p>This legislation ensures that drivers who hold a commercial driver’s license are not allowed to participate in DUI diversion programs. This puts the state in compliance with federal commercial driving regulations.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>H497aa</u></a>	<p><b>Yellow DOT Program</b></p> <p>This program provides critical information to first responders in the “golden hour” following a traffic crash when victims may be unable to communicate for themselves. Citizens who choose to participate will receive a Yellow DOT decal, a Yellow DOT folder, and a medical information sheet that is completed and placed in their glove compartment. The information is not kept by any agency or database and can only be used by a first responder in case emergency medical attention is needed. Those who participate will place the Yellow DOT decal in the back window of their car. Please note: the presence of a Yellow DOT does not provide a peace officer with probable cause or other legal authority to search a motor vehicle to its occupants. The Department of Health and Welfare is in charge of implementing this program. They have been authorized to reach out to first responders regarding training for implementation.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
* <a href="#"><u>H614</u></a>	<p><b>Motor Vehicles, Electronic Devices</b></p> <p>This legislation treats the use of certain electronic devices behind-the-wheel as an infraction. It is meant to address safety concerns associated with many distracted driving crashes. The bill also defines enforcement and retains conditions under which electronic device communications are permitted. Local ordinances regulating the use of mobile electronic devices in motor vehicles while driving are preempted.</p> <p><i>Provides that only warnings and no infractions shall be issued under this section prior to 01/01/21.</i></p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**PLANNING & ZONING/LAND USE/PUBLIC LANDS/NATURAL RESOURCES**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>S1368</u></a>	<p><b>Idaho Roadless Rule</b></p> <p>This legislation clarifies the Idaho Roadless Rule Implementation Commission’s role as a partner with the U.S. Forest Service during the development of projects and policies related to Idaho’s inventoried roadless areas. It also sets terms for commission members and reduces the number of commissioners from 15 to a range of 9 to 12 commissioners, subject to the discretion of the Governor.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

**TAXING DISTRICTS/SPECIAL PURPOSE GOVERNMENTS**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H491</u></a>	<p><b>Ambulance Service, Coop Agreements</b></p> <p>This bill amends Section 31-1430, Idaho Code, authorizing ambulance districts to enter into cooperative agreements with fire protection districts and counties. Each district and/or county and their board of commissioners would retain control over their respective funds, but could voluntarily enter into agreements to share costs for the purpose of increasing efficiency and improving emergency medical systems.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>H565</u></a>	<p><b>Flood Control Districts</b></p> <p>This legislation creates a procedure for landowners to file petitions with a flood control district seeking the district’s approval to annex their lands into the district. If approved, a copy of the annexation order, certified by the chairman and secretary of the flood control district board, will need to be filed for record in the recorder’s office of the county or counties within which the annexed lands are situated.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>S1332</u></a>	<p><b>Ambulance Service Districts</b></p> <p>This legislation only affects ambulance service districts formed after July 1, 2020. It standardizes the process for forming new ambulance districts by mimicking the current process in Idaho code for fire districts. It will require a vote of the people within a proposed district during the May or November election dates. It removes the governance of newly formed districts by the board of county commissioners and puts in place an independent commission. This will allow for newly created ambulance districts to operate across county boundaries. It also requires the support of any incorporated city within the proposed boundary before the election moves forward.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## TAXING DISTRICTS/SPECIAL PURPOSE GOVERNMENTS

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H517aa</u></a>	<p><b>Local Improvement District Liens</b></p> <p>This bill revises provisions regarding LID liens for delinquent assessments. It certifies that collections shall be governed by the provisions of Chapter 10, Title 63, Idaho Code, including those governing collection, satisfaction, and extinguishment of delinquent amounts. These shall be handled in the same manner as delinquent property taxes.</p>	<p><b>LAW</b></p> <p>Effective: 03/24/20</p>

## TRANSPORTATION

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
* <a href="#"><u>H325aa</u></a>	<p><b>Bridge Maintenance and Replacement Program</b></p> <p>This legislation would have provided funding for the state transportation expansion, congestion and mitigation fund (TECM) and the bridge maintenance and replacement program fund. It would have provided money from the general fund for funding and repair of local bridges. The new funds would be allocated based on a 60/40 split between the state and local governments. The Governor vetoed this bill due to concerns about tapping the general fund for transportation in this time of economic uncertainty caused by COVID-19.</p>	<p>Vetoed</p>
* <a href="#"><u>H334</u></a>	<p><b>Local Bridge Inspection Account</b></p> <p>This bill increased funding for the local bridge inspection account from \$100,000 to \$175,000 to ensure federal match requirements and cost increases can be met. This will allow bridges in Idaho's 288 local highway jurisdictions to be properly inspected for safety.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## GENERAL GOVERNMENT

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H348</u></a>	<p><b>Electronic Recording Commission (ERC)</b></p> <p>This bill repeals the Electronic Recording Commission created in Section 31-2905, Idaho Code. The commission recommended dissolution of the ERC at their annual meeting in February 2019.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>H379</u></a>	<p><b>Party Affiliation Deadline</b></p> <p>This legislation amends Section 34-411A, Idaho Code, to affirm political party affiliation rules apply to presidential primary elections. Changing party affiliation for the presidential primary must be done at least 90 days prior to a presidential primary election day.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
# <a href="#"><u>H413</u></a>	<p><b>City Council Elections by District # H413</b></p> <p>Cities with over 100,000 inhabitants shall establish districts and elect city council members by districts. Currently this will impact elections in the city of Boise and will likely affect the cities of Meridian and Nampa following the 2020 census.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>S1233</u></a>	<p><b>Campaign Finance Reports</b></p> <p>This legislation revises provisions within the existing Sunshine Law by expanding those who may file a campaign finance report. This ensures that the candidate or political committee always has access to file a timely report should their respective treasurer be unavailable.</p>	<p><b>LAW</b></p> <p>Retroactive to 01/01/20</p>
<a href="#"><u>S1267</u></a>	<p><b>Pacific Daylight Savings Time</b></p> <p>This legislation provides that those areas of Idaho that are in the Pacific time zone and all its political subdivisions will follow Pacific daylight savings time through the year if the state of Washington makes daylight savings time the permanent time of the state. This may impact county computer systems that may need to be updated in order to account for the time staying the same year-round.</p>	<p><b>LAW</b></p> <p>Contingent upon the state of WA passing year-round daylight savings time</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## GENERAL GOVERNMENT

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<b>* <a href="#">S1280</a></b>	<p><b>Campaign Finance Report Exemption</b></p> <p>This bill is a follow-up to recent campaign finance reforms that took effect on January 1, 2020 that exempts local government candidates from filing campaign finance reports in local races unless and until the candidate receives contributions or expends funds in the amount of \$500 or more. This legislation extends the exemption to judicial offices.</p>	<p><b>LAW</b></p> <p>Retroactive to 03/09/20</p>
<b><a href="#">S1309</a></b>	<p><b>Absentee Ballot Emergency Clause</b></p> <p>This legislation creates a new section of code, Title 34-10 Section 2, Idaho Code, which allows a registered elector who has not previously requested an absentee ballot for the same election and who is unable to vote in person at the elector's designated polling place on the day of the election due to an emergency situation requiring hospitalization to request an emergency situation absentee ballot. This application may be submitted to the county clerk up to 5 days prior to the election but shall be received by the county clerk no later than 5:00 pm the Monday before the election.</p>	<p><b>LAW</b></p> <p>Effective: 03/24/20</p>
<b><a href="#">S1310</a></b>	<p><b>Revise Recall Election Provisions</b></p> <p>This legislation revises existing elections statutes (Title 34, Idaho Code) pertaining to the process for ordering a recall election. This allows a non-conflicting officer to be responsible for the ordering of the recall and to ensure proper execution of statutory timelines. If a county clerk is being recalled, then the secretary of state shall order the special election.</p>	<p><b>LAW</b></p> <p>Effective: 03/10/20</p>
<b><a href="#">H466</a></b>	<p><b>Marriage License Minimum Age</b></p> <p>This bill sets a minimum legal age for marriage to sixteen years of age. It also restricts the age difference of individuals under age eighteen years of age to three years. Marriage licenses shall not be issued if there is a larger age difference. There are no exceptions to this law as there were in previous iterations that allowed exceptions with parental or judicial approval.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

**GENERAL GOVERNMENT**

BILL #	SUMMARY AND COUNTY IMPACT	STATUS
<a href="#"><u>H501</u></a>	<p><b>School Annexation Voter Rights</b></p> <p>This legislation will allow all of the electors in the district in which there is a petition to excise and all the electors in the district in which the area proposed to be annexed to vote on the proposed annexation. It also increases the time period so that the local board of trustees has sufficient time to research the impact of the petition and get input from district patrons. Formerly only electors in the area being excised were given the ability to vote on the excision. Allowing all district taxpayers in both districts the opportunity to vote in an annexation election protects taxpayers from having their taxes increased without their permission. It is possible that this could have a fiscal impact on counties responsible for conducting the election, in the event no such election would normally occur at the time the excision petition goes to a vote.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>
<a href="#"><u>H503</u></a>	<p><b>Homeowner’s Association Political Signs</b></p> <p>This bill provides that no homeowner’s association (HOA) may add, amend or enforce any covenant, condition, or restriction that prohibits displaying a political sign. HOA’s may adopt reasonable rules, subject to any applicable laws or ordinances, regarding the time, size, place, number, and manner of display of political signs.</p>	<p><b>LAW</b></p> <p>Effective: 07/01/20</p>

\* Denotes IAC supported legislation

# Denotes IAC opposed legislation

## INTERIM COMMITTEES

While the legislature took no official action on property tax legislation, it did vote to establish an interim committee to review Idaho's property tax system and make recommendations to subsequent legislatures for possible changes. Generally Legislative Council meets in April to officially sanction interim committees and appoint membership. Due to COVID-19, Legislative Council has yet to meet, delaying the organization of interim committees. Legislative Council is scheduled to meet on June 5th and will appoint at that time the property tax interim committee. Once established, the interim committee will meet regularly to learn about Idaho's property tax system, study alternatives, and make recommendations on potential changes. IAC expects at least one county official to be appointed to the interim committee; however, the decisions to appoint a county official to the interim committee lies with the yet to be appointed committee co-chairs.

IAC is ramping up its research efforts and will be contacting counties for information in the coming weeks and months related to county budgets, property assessments, and property tax exemptions. IAC staff advise the membership to closely monitor the work of the interim committee, participate in interim committee meetings, and provide ideas to interim committee members. A lot of time and effort will be required to monitor the work of the interim committee and analyze the impact of proposed legislation resulting from committee discussions. Stay tuned for more information in the coming weeks and months.