

Review of the 67th Idaho Legislative Session

Seth Grigg, Executive Director
Sara Westbrook, Policy Director
Kelli Brassfield, Policy Analyst



BY THE NUMBERS

9

Number of times
IAC Legislative
Committee met
during the 2022
Legislative Session

93

Number of bills
monitored by
IAC Policy Staff

9

Number of bills
IAC Legislative
Committee took an
opposed position
(One passed)

19

Number of bills
IAC Legislative
Committee took a
support position
(Fifteen passed)

PROPERTY TAXATION



HOUSE BILL 481: CIRCUIT BREAKER

Sponsor(s): Representative Charlie Shepherd

Effective Date: Retroactive to January 1, 2022

- Increases circuit breaker eligibility to the greater of 150% of the county median assessed value or \$300,000.

HOUSE BILL 548: HOMEOWNER EXEMPTION ELECTION VERIFICATION

Sponsor(s): Representative Mike Moyle & Senator
Michelle Stennett

Effective Date: March 21, 2022

- Requires state tax commission to establish state database of homestead exemptions.
- Requires candidates for office to run for office in the county in which they claim the homestead exemption.

HOUSE BILL 564: HOMEOWNER EXEMPTION VERIFICATION

Sponsor(s): Representative Mike Moyle & Senator Michelle Stennett

Effective Date: July 1, 2022

- Requires county assessor to investigate applications for homestead exemptions to ensure applicant cannot claim the exemption in multiple counties.

HOUSE BILL 565a: TRANSIENT PERSONAL PROPERTY

Sponsor(s): Representative Mike Moyle

Effective Date: Retroactive to January 1, 2022

- Amends the definition of transient personal property to include “self-propelled, self-powered, or pull-type equipment and machinery,” which is “primarily employed for use in construction, logging, or mining of salable minerals.”
- Eliminates annual reporting requirements for transient personal property.

HOUSE BILL 673: NEW CONSTRUCTION ROLL

Sponsor(s): Senator Jim Guthrie & Representative Steve Harris

Effective Date: January 1, 2023

- Removes value associated with change in use from the new construction roll.

SENATE BILL 1249: CLEANUP 2021 H389

Sponsor(s): Senator Jim Rice & Representative Mike Moyle

Effective Date: Retroactive to January 1, 2022

- Exempts new construction from an expiring revenue allocation area from the 8% cap on annual property tax budget increases.
- Caps the amount of annual budget increase from previously forgone property taxes at 8% (provided the taxing district does not take 3% or new construction property tax budget increases).

SENATE BILL 1259: PTR MEDICAID INCOME

Sponsor(s): Senator Melissa Wintrow & Representative Ben Adams

Effective Date: January 1, 2023

- Exempts payments received by a circuit breaker claimant as an enrolled Medicaid provider from the medical assistance program when determining circuit breaker eligibility.

PUBLIC DEFENSE & MEDICAL INDIGENCY



Public Defense Commission Rules

Sponsor(s): Public Defense Commission

Effective Date: March 29, 2022

- Senate approved the rules as written.
- Rules can be found here:
<https://adminrules.idaho.gov/rules/current/61/index.html>
- When will rule-making start again?
 - What will be covered?

HOUSE BILL 735: PUBLIC DEFENSE

Sponsor(s): Representatives Mike Moyle & Jon Weber & Senator Todd Lakey

Effective Dates: March 29, 2022 – Sections 5-38, 52, 57 & 59

July 1, 2022 – Sections 1-4, 53, 55, 56 & 58

July 1, 2023 – Sections 39-51

October 1, 2023 – Section 54



HOUSE BILL 735: PUBLIC DEFENSE

- Provides \$34 million sales tax distribution to counties for state funding for public defense.
- Funds allocated in proportion to 2021 county public defense expenses (excluding financial assistance from PDC).
- Counties should use funds to reduce property taxes in tax year 2022.
- Counties must reduce property taxes for tax year 2023.

HOUSE BILL 735: PUBLIC DEFENSE

- Repeals the county charity levy.
- Jail medical expenses should be shifted to either justice or current expense funds.
- Non-medical indigent assistance should be shifted to current expense fund.
- Health district assessments should be shifted to preventative health fund.
- Public defense expenses exceeding state sales tax and PDC financial assistance must be budgeted from reserves, current expense, justice, or district court funds.

HOUSE BILL 735: MEDICAL INDIGENCY

- Applications
 - Dates of service prior to March 1, 2022
 - Dates of service from to March 1, 2022 to March 31, 2022
 - Dates of service after March 31, 2022
 - Suspensions/appeals
- Still collect reimbursements
 - County portion goes to the current expense fund.
 - Remit CAT portion as you have always done.
- Medical review reimbursement

HEALTH AND HUMAN SERVICES



HOUSE BILL 561: EMERGENCY MEDICAL SERVICES

Sponsor(s): Representatives Ilana Rubel & Terry Gestrin & Senator Dave Nelson

Effective Date: March 21, 2022

- Allows for the option of using funds in the emergency medical services fund not only for purchases of vehicles and equipment but also to include training, licensing, technology, and costs not related to the salary of personnel.

SENATE BILL 1327: INVOLUNTARY COMMITMENTS

Sponsor(s): The Idaho Behavioral Health Council

Effective Date: March 21, 2022

- Counties will only pay for pre-commitment transportation and court costs.
- IDHW will now pay for all DEs, post-commitment transportation, and current post-commitment costs.
- Allows facilities to apply to Medicaid on behalf of patients.
- Medical costs.

JUSTICE & PUBLIC SAFETY



HOUSE BILL 469: POST FUNDING

Sponsor(s): POST and Representative Paul Amador

Effective Date: July 1, 2022

- 1.5% of the liquor fund after all current distributions will be diverted to the POST fund to help cover budget shortfalls.
- This will be about \$777,500 in FY23, \$812,000 in FY24, and \$847,800 in FY25.
- There will be a cap of \$1,000,000.

HOUSE BILL 499: DISPATCH RULE 80

Sponsor(s): Representative Greg Chaney

Effective Date: July 1, 2022

- Adds emergency communications officer (dispatchers) to the rule of 80.
- There is anticipated to be an increase of about 5.2% to the PERSI payroll system to be covered mainly by the employee.

HOUSE BILL 589: JUVENILE RULE 80

Sponsor(s): Representative Marco Erikson

Effective Date: July 1, 2022

- Adds juvenile detention officers, juvenile probation officers, and misdemeanor probation officers to the rule of 80.
- The anticipated increase to the counties is ~\$162 per new employee per benefit year.

TRANSPORTATION



HOUSE BILL 772: ROAD & BRIDGE MAINTENANCE FUNDING

Sponsor(s): Representative Brooke Green & Senator Carl Crabtree

Effective Date: July 1, 2022

- Dedicates \$80 million in state funds to be used for local highway maintenance and improvements.
- IAC estimates county share to be \$26.4 million.
- This funding is intended to be ongoing.

SENATE BILL 1231: ROAD AND BRIDGE REPORT INTENT LANGUAGE

Sponsor(s): Senator Lori Den Hartog

Effective Date: July 1, 2022

- Repeals legislative intent language from H312 (2015) that required local jurisdictions to report annually to legislature how funds were spent in accordance with H312.
- Expenditures are still required to be reported per Idaho Code 40-708.



SENATE BILL 1359: BRIDGE FUNDING

Sponsor(s): Senator Jim Woodward & Representative Matt Bundy

Effective Date: March 16, 2022

- Provides a one-time cash transfer of \$200 Million from State General Fund surplus for local bridge maintenance.
- The \$200 Million will be administered by LHTAC through a competitive grant application process with bridges selected based on bridge condition.
- Bridges posted for load and listed in poor condition will be given priority.



INTERGOVERNMENTAL AFFAIRS



SENATE BILL 1274: ELECTION AUDIT

Sponsor(s): Jason Hancock, Deputy Secretary of State

Effective Date: March 11, 2022

- Directs SOS to order a postelection audit of certain election results after a general or primary election.
- Procedures would require SOS to provide county clerks being audited notice at least 60 days prior to election.
- Audit will include checking paper ballots against the election results that the counties tabulate and report for the audited precincts.

HOUSE BILL 444: LIMITED IMMUNITY

Sponsor(s): Representative Julianne Young

Effective Date: July 1, 2022

- Extends sunset date on the Coronavirus Limited Immunity Act from July 1, 2022 to July 1, 2023.

HOUSE BILL 532: ELECTION JUDICIAL REVIEW

Sponsor(s): Representative Bruce Skaug, Senator Patti Anne Lodge & Ada County Clerk Phil McGrane

Effective Date: July 1, 2022

- Grants the SOS or county clerk the authority to seek judicial review by the district court.
- Grants district court authority to void and order a new election if error is found to be sufficient to likely change the outcome of the election.



HOUSE BILL 621: PUBLIC RECORDS

Sponsor(s): Representative Dustin Manwaring & Senator Jim Woodward

Effective Date: March 25, 2022

- Provides certain cybersecurity records are exempt from disclosure including nature, location, or function of cybersecurity devices, programs or systems designed to protect computer, info technology, or communications systems against terrorist or other attacks.
- BOCC allowed to discuss these certain cyber security records in executive session.
- Does NOT include public expenditure records.



HOUSE BILL 701: WORKFORCE HOUSING

Sponsor(s): Representative Megan Blanksma

Effective Date: March 28, 2022 (Sunsets December 31, 2026)

- Creates the Idaho Workforce Housing Fund to provide gap funding for workforce housing development.
- IHFA will administer with preference given to developments that include local match.
- At least 20% of money set aside for rural areas.
- After 2 years, remaining balance available to all communities.



HOUSE BILL 575: LEASE PURCHASE CHANGES

Sponsor(s): Representatives Bruce Skaug, Mike Kingsley, Ron Nate, Tammy Nichols & Rick Youngblood & Senator Jeff Agenbroad

Effective Date: January 1, 2023

- Prohibits counties from entering into a long-term lease extending beyond five years without first seeking simple majority voter approval.

2022 PROPOSED WORKING GROUPS



AREA OF CITY IMPACT

- Senator Lakey will spearhead an area of city impact (AOCI) and annexation working group.
- IAC will participate and invite a small group of county commissioners to join us.
- Primary goal of working group is to establish a better statutory framework for resolving AOCl and annexation disputes among cities.



PROPERTY TAXATION

- Legislators have signaled an interest in raising the sales tax as a means of providing property tax relief.
- IAC plans on working with the IAC Legislative Committee and other stakeholders to identify potential alternatives to reduce the property tax burden on homeowners.



PUBLIC DEFENSE

- IAC is working with the Governor's Office to establish a working group to recommend an alternative public defense model to the Legislature in 2023.
- Working group will be small and consist of county commissioners, defense attorneys, legislators, and staff from the Governor's Office.
- Models to be explored will likely include a state based public defense model, a regional judicial district based model, or a hybrid model.



IAC Resolutions



IAC Resolution Types

Two types of IAC Resolutions allowed under IAC Bylaws:

- Policy Resolutions
- Legislative Resolutions
 - Up to 5 resolutions may be included in IAC Legislative Package
- [2023 Legislative Resolution Form](#)

Policy Resolution Criteria

Proposal to express opinion of IAC regarding an issue for which introduction of legislation is unnecessary.

- Germaine committees consider properly submitted policy resolutions during annual conference
- Resolution is voted on by membership
- If approved, becomes official policy of IAC for up to two years

Policy Resolution Criteria

Policy resolutions must meet the following criteria:

- Address a single subject;
- Be prepared in the standard IASC policy resolution format as established by the board;
- List the counties affected;
- List the county offices affected;
- State the fiscal impact of the policy resolution on counties (if any); and
- Clearly state the arguments supporting the resolution, including relevant.

Legislative Resolution Criteria

Proposal to express the opinion of IAC in support of state law change.

Must be submitted electronically to IAC no later than September 1 and meet the following criteria:

- Address single subject;
- Prepared in standard IAC legislative resolution format
- List county offices affected;
- List Idaho statutes affected;
- Clearly state arguments supporting the resolution including background information;



Legislative Resolution Criteria

- State fiscal impact to counties;
- Identify sponsor;
- List other stakeholders who will be affected & nature of impact;
- Identify standing or steering committee to which the resolution is to be assigned

Legislative resolutions failing to meet criteria above will not be considered by IAC Legislative Committee for final recommendation to the membership.

Evaluating Legislative Resolutions

For steering committee to adopt a resolution, the resolution must:

- Focus on a single issue within the general realm and scope of county government;
- Affect more than one county;
- Affect more than one elected office or department;
- Affect taxation, spending, revenue generation authority or create significant efficiencies or cost savings; and
- Be politically feasible.

QUESTIONS?

