

Legislative Review 2023

IAC IDAHO
ASSOCIATION OF
COUNTIES

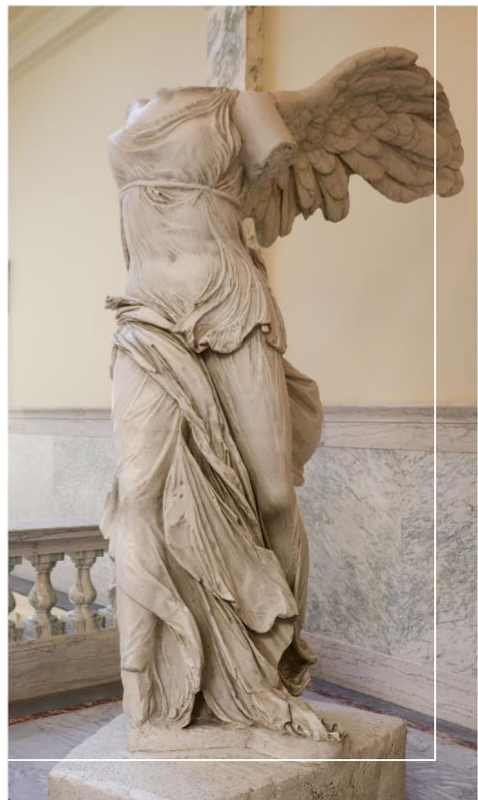


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Introduction

The 2023 Idaho Legislative Session was another historic one for the Idaho Association of Counties (IAC). Last year, we were able to secure state funding for public defense (H735). Following that victory, IAC worked closely with public defenders, the Governor's Office, and county commissioners to develop the new state-based, regional public defense model (H236). This is the result of years of efforts by county officials. It demonstrates the importance of staying the course and continuing to collaborate with stakeholders to find long-term solutions. Record-breaking property tax relief (H292) is another excellent example of the importance of collaboration and perseverance over a long period of time. Though the bill is imperfect, the relationships forged through the process will aid IAC as we work to clean up unintended consequences that need to be addressed next year, particularly focusing on some logistical timelines.

IAC found success with our 2023 Legislative Priorities. Governor Little signed two of our priorities into law: Clean Up House Bill 735 / Jail Medical (H070) and Title Admin Fee (H085). Our proposal on a Vape Tax also made it further than ever before. Not only did it receive a bill number this year (a first), but it also received a full hearing and nearly made it out of the House Revenue and Taxation Committee. During that hearing, opposition members agreed that adding a vape tax was fair and committed to working with us during the interim toward an agreed-upon solution.

Without the active support of our members, none of this would have been possible. We encourage you to meet with your legislators during the interim. Continue helping them to see that county officials are thought leaders in our great state. Teaming up with IAC, county officials have offered solutions in the past and will continue to provide solutions and ideas into the future.

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2023 Legislative Committee

The IAC Legislative Committee met weekly during the legislative session. They met with legislators, strategized with the policy team, and provided direction and leadership on the issues.

Chair: Don Hall, Twin Falls County Commissioner

Vice Chair: Len Humphries, Fremont County Sheriff

Membership:

Luke Omodt	Bonner County Commissioner	District 1 Representative
Tom Lamar	Latah County Commissioner	District 2 Representative
Sherry Maupin	Valley County Commissioner	District 3 Representative
Wayne Schenk	Minidoka County Commissioner	District 4 Representative
Mark Bair	Bingham County Commissioner	District 5 Representative
Brent Mendenhall	Madison County Commissioner	District 6 Representative
Josh Dison	Elmore County Assessor	IACA Representative
Doug Zenner	Nez Perce Commissioner	IACC Representative
Angie Barkell	Owyhee County Clerk	IACRC Representative
Annette Dygert	Owyhee County Treasurer	IACT Representative
Vic Pearson	Franklin County Prosecutor	IPAA Representative
Kieran Donahue	Canyon County Sheriff	ISA Representative
Scott Carver	Valley County Coroner	ISACC Representative

Leadership of the 68th Legislature

House Leadership

Speaker of the House

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Intergovernmental Affairs

IGA.1 Elections

[House Bill 0001](#)

IAC Position: No Position

Sponsor(s): Representative Julianne Young

County Office(s) Affected: Sheriffs and Clerks

Sub Area: Elections

Bill Summary: Clarifies that County Sheriffs no longer receive ballots included in the post-election audit. The resealed ballots are only to be received by the County Clerk. If ballots are subject to a recount, following a post-election audit, the ballots are to be turned over to the sheriff's custody.

The post-election audit must, at minimum, include a hand recount of the ballots subject to audit and a comparison to the results reported by the county.

Effective Date: 07/01/2023

[House Bill 0011](#)

IAC Position: No Position

Sponsor(s): Representative Joe Alfieri, Phil McGrane, Secretary of State

County Office(s) Affected: Clerks and all other public officials

Sub Area: Elections

Bill Summary: Expansion of existing Idaho Code that applies to clerks and local elections offices with regard to acceptance or expenditure of monies in excess of \$100 to any "official or employee of the state of Idaho." This has no impact on the conduction of business for county officials.

Effective Date: 07/01/2023

House Bill 0124

IAC Position: No Position

Sponsor(s): Representative Tina Lambert, Senator Scott Herndon

County Office(s) Affected: Clerks

Sub Area: Elections

Bill Summary: Removes student ID as valid identification for voting at the polls.

Effective Date: 01/01/2024

House Bill 0125

IAC Position: No Position

Sponsor(s): Representative Brandon Mitchell

County Office(s) Affected: Clerks

Sub Area: Elections

Bill Summary: Declaration of intent for write-in candidates is to be filed by the ninth Friday before the day of an election and moved from the eighth Friday.

Effective Date: 07/01/2023

House Bill 0138

IAC Position: No Position

Sponsor(s): Representative Dustin Manwaring, Senator Mark Harris

County Office(s) Affected: Clerks

Sub Area: Elections

Bill Summary: Removal of "Presidential Primary" definition and exceptions to election dates. Consolidates primary elections across positions to all be held on the third Tuesday in May in each even-numbered year.

Effective Date: 07/01/2023

[House Bill 0179](#)

IAC Position: No Position

Sponsor(s): Senator Glenneda Zuiderveld, Representative Dale Hawkins

County Office(s) Affected: Clerks

Sub Area: Elections

Bill Summary: Rank choice voting is prohibited office in local, state, or federal elections.

Effective Date: 07/01/2023

[House Bill 0239](#)

IAC Position: No Position

Sponsor(s): Representative Dale Hawkins (I removed "R." because it wasn't included with his name above, so for consistency and clarity, we should either remove the "R." or keep it.

County Office(s) Affected: Clerks

Sub Area: Elections

Bill Summary: "It is unlawful for any alien to vote in any election held in this state solely or in part for the purpose of electing or nominating any candidate to any elective office."

Effective Date: 07/01/2023

[House Bill 286](#)

IAC Position: Oppose

Sponsor(s): Representative Kevin Andrus

County Office(s) Affected: All county officials

Sub Area: Bond & Levy

Bill Summary: This clarifies bond and levy advertising content and disclosure requirements.

Effective Date: 07/01/2023

[House Bill 0340](#)

IAC Position: No Position

Sponsor(s): Representative Brandon Mitchell, Representative Joe A. Palmer, Phil McGrane, Secretary of the State

County Office(s) Affected: Clerks and Sheriffs

Sub Area: Elections, DMV

Bill Summary: In concert with the revocation of student IDs as valid identification for elections, the bill establishes responsibility of ITD to issue no-fee identification cards to comply with voter registration and voting requirements. New proofs of identity and residence are required to be included when registering to vote. The county clerk is required to upload registration applications to the statewide voter registration database. The Department is to issue a four-year, no-fee ID card if the following criteria are met: 18 years or older, hasn't possessed a driver's license in the preceding six months, and indicates an ID card is needed for voting requirements.

Effective Date: 07/01/2023

IGA.2 Property Taxes

[House Bill 0051](#)

IAC Position: No Position

Sponsor(s): Representative Megan Blanksma, Max Pond, Idaho Realtors

County Office(s) Affected: Assessors

Sub Area: Assessments

Bill Summary: Counties are still responsible for providing taxpayers with valuation assessment notices, however, the State Tax Commission is now required to prepare a standard valuation assessment form to be used by all counties. Notices must include the following new information: the prior two years of market value for assessment purposes, the property tax percentage increase or decrease by taxing district over the past two years, the date of each taxing district's next budget hearing (if scheduled), and a contact phone number to obtain more information. If the taxing district's budget hearing is not scheduled, then the date that hearing must be held by needs to be included.

Effective Date: Amended by House Bill 135 to be effective 01/01/2024

[House Bill 135](#)

IAC Position: No Position

Sponsor(s): Representative Megan Blanksma

County Office(s) Affected: Assessors

Sub Area: Assessments

Bill Summary: Amendment to House Bill 51. Changes effective date from effective upon passage to 01/01/2024.

Effective Date: 01/01/2024

[House Bill 0221](#)

IAC Position: No Position

Sponsor(s): Representative Lauren Necochea

County Office(s) Affected: Assessors, BOCC, and Clerks

Sub Area: Property Taxes

Bill Summary: Adds to existing law to prohibit the name of any public official or any electioneering message from appearing on Idaho State Tax Commission correspondence or county property tax correspondence.

Effective Date: 07/01/2023

[House Bill 230](#)

IAC Position: No Position

Sponsor(s): Representative Dustin Manwaring, Tim Olson, Self-Storage Association

County Office(s) Affected: Assessors

Sub Area: Assessments

Bill Summary: This legislation relates to real property valuation for tax purposes of income-producing property and requires that upon request by the property owner, the assessor shall provide the property owner with the assessor's calculations used to derive the income-producing property owner's market value, including any value exempted by statute.

Effective Date: 07/01/2023

[House Bill 258](#)

IAC Position: No Position

Sponsor(s): Representative Josh Tanner

County Office(s) Affected: Assessors and Clerks

Sub Area: PTR

Bill Summary: This legislation allows Veterans with a 100% service-connected permanent and total disability rating to make a one-time application for the special property tax or occupancy tax reduction under Title 63 Chapter 7 in Idaho Code and would be able to continuously receive this benefit in subsequent years without reapplying.

Effective Date: 03/24/2023

[House Bill 292](#)

IAC Position: Support

Sponsor(s): Representative Jason Monks, Speaker Mike Moyle, Senator Scott Grow, & Senator Doug Ricks

County Office(s) Affected: All

Sub Area: Property Tax, PTR, Elections, Public Defense

Bill Summary: Raises eligibility threshold to the greater of 200 percent of county median assessed market value or \$400,000. Removes March election date. Sixteen to twenty million dollars will come off the top of county revenue sharing for public defense. The legislation also reestablishes "Wayfair" online sales tax. The Wayfair fund will be included in property tax relief distribution formula beginning in 2025. Provides property tax relief for owner-occupied properties in the form of a tax credit. Provides property tax relief for all property taxpayers by paying down school bonds and levies. If schools do not have a bond or levy, then monies received go into a school facilities fund.

Effective Date: Retroactive to 01/01/2023 (PTR) in SECTION 10; 03/29/2023 SECTION 1-9 and 11-17

Senate Bill 1031

IAC Position: No Position

Sponsor(s): Senator Van T. Burtenshaw

County Office(s) Affected: BOCC

Sub Area: Property Tax

Bill Summary: 63-602N (regarding irrigation waters and structures, certain property of irrigation districts or canal companies) added to exemptions so it no longer requires application or approval by the BOCC.

Effective Date: 07/01/2023

IGA.3 Local Control

House Bill 0022

IAC Position: Oppose

Sponsor(s): Representative Bruce D. Skaug

County Office(s) Affected: BOCC, Clerks, Sheriffs, Treasurers

Sub Area: Intergovernmental Revenues, Local Control

Bill Summary: Should a city or county government refuse to investigate a felony by proclamation, ordinance, resolution, or executive order, they will no longer be eligible for sales tax distributions. The attorney general will be responsible for informing the State Tax Commission of the provisions of this code and sending notice to the local government that they have 180 days from the date of the holdback of sales tax distributions to rescind or repeal the proclamation, ordinance, resolution, or executive order, or the funds will be forfeited and deposited to the state general fund.

Effective Date: 03/22/2023

[House Bill 166](#)

IAC Position: Oppose

Sponsor(s): Representative Colin Nash

County Office(s) Affected: BOCC

Sub Area: Local Control

Bill Summary: Restriction on local control. On and after July 1, 2023, no restrictive covenant may be entered into that prohibits an internal accessory dwelling unit. Any such covenant issued on or after the effective date is considered void and unenforceable. Homeowners Associations may implement less restrictive rules of governance but have the authority to implement size and height limits, setback requirements, open space requirements, parking controls, and bedroom requirements. Internal accessory dwellings do not include alternative detached structures, motor homes, campers, recreational vehicles, tiny homes on wheels, or other dwellings on wheels.

Effective Date: 04/03/2023

[House Bill 173](#)

IAC Position: No Position

Sponsor(s): Representative Judy Boyle, Representative Edward H. Hill

County Office(s) Affected: BOCC

Sub Area: Local Control

Bill Summary: On and after the effective date of 04/03/2023, no foreign government or foreign enterprise may purchase, acquire, or hold a controlling interest in agricultural land, water rights, mining claims, or mineral rights in the state of Idaho. It does not impact existing rights or property prior to the effective date. Foreign governments include any government other than the federal government of the United States of America or its states subdivisions of a state, territory, or possession of the United States.

Effective Date: 04/03/2023

[House Bill 0337](#)

IAC Position: No Position

Sponsor(s): Representative Sage G. Dixon

County Office(s) Affected: BOCC

Sub Area: Preemption, Electrical Code

Bill Summary: Preempts, eliminates, and prohibits any counties from adopting electrical code requirements that are different from or more extensive than the state requirements in §54-1010, Idaho Code regardless of whether the ordinance or policy was already in place prior to July 1, 2023.

Effective Date: 07/01/2023

[House Bill 0090](#)

IAC Position: No Position

Sponsor(s): Representative Marco Adam Erickson, Representative Richard W. Cheatum, Senator Geoff Schroeder, Senator Treg Bernt

County Office(s) Affected: BOCC and Clerks

Sub Area: Public Notice

Bill Summary: Provides that public legal notice requirements may be met through electronic publication to Idaho newspaper websites. Governmental entities are no longer liable for failure to advertise if a newspaper fails to properly publish the notices sent by the governmental entities who demonstrated a good-faith effort to comply with Idaho Code.

Effective Date: 07/01/2023

[House Bill 0191](#)

IAC Position: No Position

Sponsor(s): Senator Kelly Arthur Anthon, Senate Majority Leader, Representative Jason Monks, Chair, Revenue & Taxation, Representative Barbara Ehardt, Julie Ellsworth, State Treasurer

County Office(s) Affected: BOCC

Sub Area: Local Control, Procurement

Bill Summary: In relation to procurement searches that have a value of \$100,000 or more, no proposals, bids, or qualifications are denied on the basis of environmental, social, and governance criteria. "For purposes of this subsection, "environmental, social, and governance standards" means procurement standards that screen or score bids, in whole or in part, on subjective ethical or sustainability criteria unrelated to the specifications in a solicitation or the qualifications of a bidder."

Effective Date: 07/01/2023

[House Bill 0294](#)

IAC Position: No Position

Sponsor(s): Representative Edward H. Hill, Representative Sage G. Dixon

County Office(s) Affected: BOCC

Sub Area: Procurement

Bill Summary: Public entity (including counties) may not enter a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently owned or operated by the government of China and won't be for the duration of the contract. Upon discovering a contract fails to comply, the contracting authority has 90 days to obtain the certification required. A contract that does not fulfill this provision cannot be renewed, even if the contract was signed prior to July 1, 2023.

Effective Date: 07/01/2023

[House Bill 0349](#)

IAC Position: Oppose

Sponsor(s): Representative Mike Moyle, Senator Mark Harris

County Office(s) Affected: BOCC, Prosecutors, Sheriffs

Sub Area: Herd District

Bill Summary: Provides that livestock owners shall not be liable for damages caused by livestock that wander from open range to a herd district unless the herd district is

enclosed by fences, cattle guards, or cattle gates. Removes grandfather clause regarding fencing requirements for herd districts formed prior to 1990.

Effective Date: 04/15/2023

IGA.4 Administrative

[House Bill 174](#)

IAC Position: No Position

Sponsor(s): Representative Judy Boyle, Senator Ben Toews

County Office(s) Affected: All county officials

Sub Area: Administrative

Bill Summary: Relating to Administrative Procedures Act. Agency policy statements and guidance documents shall not have the force and effect of law.

Effective Date: 07/01/2023

[House Bill 0206](#)

IAC Position: No Position

Sponsor(s): Representative Mike Moyle

County Office(s) Affected: All County Offices

Sub Area: Administrative Rules

Bill Summary: Agency rule will not be final or in effect until approved by legislature (instead of by agency). The governor may authorize a temporary rule to be effective before it has been submitted to the legislature for review, but the temporary rule no longer expires at the end of the session if not replaced by final rule. Removes authority of the administrative rules coordinator to promulgate rules. The agency is required to allow oral presentations through video conference or telephone. Pending rules must be approved by concurrent resolution by the legislature. Starting July 1, 2026, each rule chapter will be reviewed by the legislature on a staggered, periodic 8-year schedule.

Effective Date: 07/01/2023

IGA.5 Courts

[Senate Bill 1034](#)

IAC Position: 2023 IAC Policy-Support

Sponsor(s): Senator Linda Wright Hartgen

County Office(s) Affected: Clerks

Sub Area: Court Fee Remittance

Bill Summary: County clerks are required to collect court fees and send them to the state each month. For most fees, the date by which clerks must send payments was recently changed from the 5th day of the month to the 15th day the month. For consistency, this legislation shifts the dates for eight remaining fees from the 5th day of each month to the 15th day the month.

Effective Date: 07/01/2023

[Senate Bill 1035](#)

IAC Position: 2023 IAC Policy-Support

Sponsor(s): Senator Linda Wright Hartgen

County Office(s) Affected: Clerks

Sub Area: Change of Venue

Bill Summary: County clerks are to collect venue change fees on behalf of the court initiating the change. Revised from the court receiving the case collecting the venue change fee.

Effective Date: 07/01/2023

IGA.6 Miscellaneous

Senate Bill 1041

IAC Position: 2023 IAC Policy-Support

Sponsor(s): Senator Doug Ricks

County Office(s) Affected: Treasurers

Subject: County Investments

Bill Summary: Makes it clear how county treasurers are allowed to invest. Directs treasurers to three different sections of code for further information regarding said authorization: 57-127, Investment of surplus or idle funds; 67-1210, Investment of idle monies; 67-1210A, Investments through state treasurer w/ joint powers agreement.

Effective Date: 07/01/2023

House Bill 70

IAC Position: 2023 Priority-Support

Sponsor(s): Representative John Vander Woude, Senator Mark Harris, Kelli Brassfield

County Office(s) Affected: BOCC, Clerks, & Sheriffs

Sub Area: HB735 Clean Up, Jail Medical

Bill Summary: This legislation provides revisions due to the repeal of the Catastrophic Health Care Program and the county indigent program. It codifies the current policy for jail medical claims that was repealed last session in HB735. It also gives a path forward for settlement requests for approved indigent claims. Currently, the Catastrophic Health Care Fund receives \$5.00 of every seat belt fine. Since the CAT fund and board will be repealed, this legislation sends the \$5.00 through the existing formula distributing it to the county district fund, the state general fund, the highway distribution account, the state public school income fund, and to POST. Lastly, this legislation repeals the CAT fund account but extends the Catastrophic Health Care Board until the end of September 2023 to allow for the completion of the audit and annual reports.

Effective Date: Session Law Chapter 32; Effective: 03/15/2023 SECTION 1-4, 6 & 7; 09/30/2023 SECTION 5

SCR 101

IAC Position: Support

Sponsor(s): Senator Mark Harris, Representative Megan Blanksma

County Office(s) Affected: BOCC, Clerks, Sheriffs

Sub Area: Emergency Medical System

Bill Summary: Demonstrates legislative support for the continuation of the EMS Sustainability Task Force. It supports the task force working to draft legislation for the 2024 legislative session that recognizes EMS as an essential service and establishes statewide EMS planning, coordination, and funding system to ensure reasonable availability.

Justice & Public Safety

JPS.1 Public Defense

[House Bill 236](#)

IAC Position: Longstanding IAC Priority-Support

Sponsor(s): Representative Jon O. Weber, Representative David M. Cannon

County Office(s) Affected: BOCC, Clerks

Subject: Public Defense

Bill Summary: Enacts a new model of public defense using the funding mechanism enacted in House Bill 735 from the 2022 Legislative Session. The bill repeals the Public Defense Commission and creates the Office of State Public Defender. The agency will be led by the State Public Defender, who along with the District Public Defenders in each judicial district, will share the responsibilities of carrying out the state's public defense system. The State Public Defender sets broad statewide policy, standards, and budget with input from the District Public Defenders. The 7 Judicial District Public Defenders carry out the operational day-to-day functions of public defense in their corresponding judicial district consistent with state policy.

The bill allows for local input in who becomes the State Public Defender by having a panel, consisting of one Magistrate Commissioner from each judicial district, nominate individuals from which the Governor appoints the State Public Defender. The Magistrates Commission will hire the District Public Defender in each judicial district. In counties without institutional offices, the Office of the State Public Defender will continue to contract with attorneys who practice in the county or judicial district.

Effective Date: Sections 3, 16, 18 through 22, 32, 34, and 40 shall be in full force and effect on and after July 1, 2023. Sections 1, 2, 4, 5 through 10, 12, 13, 14, 15, 23 through 31, 33, and 35 through 39 shall be in full force and effect on and after July 1, 2024. Section 11 shall be in full force and effect on and after October 1, 2024. Section 17 shall be in full force and effect on and after July 1, 2025.

House Bill 380

IAC Position: No Position

Sponsor(s): Representative Wendy Horman, Senator C. Scott Grow

County Office(s) Affected: BOCC, Treasurers, Clerks

Sub Area: Public Defense Funding, Property Tax Relief

Bill Summary: Section 1 provides a cash transfer of \$36,000,000 from the General Fund to the Public Defense Fund. Section 2 provides an appropriation to the State Tax Commission of \$36,000,000 from the Public Defense Fund for fiscal year 2024, to be used for public defense at the county level of government. Section 4 provides a cash transfer of \$20,000,000 from the General Fund to the School District Facilities Fund for fiscal year 2024. Section 6 provides a cash transfer of \$2,000,000 from the General Fund to the Sales Tax Distribution Reserve Account Fund, to be distributed to special purpose taxing districts.

Effective Date: 07/01/2023

JPS.2 Enforcement of Law

Senate Bill 1030

IAC Position: No Position

Sponsor(s): Senator Daniel D. Foreman, Representative Heather Scott

County Office(s) Affected: BOCC, Sheriffs, Prosecutors

Sub Area: Local Control

Bill Summary: Local government policy regarding immigration enforcement cannot prohibit or discourage the enforcement of immigration laws. Allows any person to file a complaint with A.G. if they offer evidence to support the allegation. If the A.G. determines the complaint valid, may file a petition to compel the entity to change policy.

Effective Date: 07/01/2023

[Senate Bill 1049](#)

IAC Position: No Position

Sponsor(s): Senator Mark Harris, Mr. David Claiborne, Sawtooth Law Offices

County Office(s) Affected: Sheriffs, Prosecutors

Sub Area: Trespassing Public Land

Bill Summary: Creates a new section of code that is meant to protect state lands. It outlines posting requirements for the Board of Land Commissioners, fines, and minimum sentences for violators of this section.

Effective Date: 07/01/2023

JPS.3 Employment

[House Bill 18](#)

IAC Position: No Position

Sponsor(s): Representative Ilana Rubel, Representative James Holtzclaw, Senator Chuck Winder, Senator James Ruchti

County Office(s) Affected: BOCC and Sheriffs

Sub Area: Worker's Compensation

Bill Summary: Amends existing law to remove a sunset clause from a provision that makes psychological injuries suffered by first responders compensable.

Effective Date: 07/01/2023

[Senate Bill 1054](#)

IAC Position: Support

Sponsor(s): Senator Todd M. Lakey, Representative Matthew Bundy

County Office(s) Affected: Sheriffs

Sub Area: 1st Responder Re-employment

Bill Summary: Amends Idaho Code § 59-1356, First Responder Reemployment Legislation to change the sunset clause to 2027, defines the bona fide separation of

employment as 30 days, removes the retired by date, and requires public safety officers to contribute into PERSI. The employee rate was set by PERSI at 9.8 percent and the employer rate is 13.26 percent.

Effective Date: 07/01/2023

Transportation and Infrastructure

TRI.1 DMV

[House Bill 85](#)

IAC Position: 2023 IAC Priority-Support

Sponsor(s): Representative James Petzke, Sara Westbrook, IAC

County Office(s) Affected: Assessors and BOCC

Sub Area: DMV

Bill Summary: The legislation allows a title administrative fee to be set by a Board of County Commissioners to cover costs at the county level associated with title transactions instead of having property taxes cover the shortfall or longer wait times at the county DMV.

Effective Date: 07/01/2023

[House Bill 87](#)

IAC Position: No Position

Sponsor(s): Representative Sage G. Dixon

County Office(s) Affected: BOCC and Road and Bridge

Sub Area: TECM Usage

Bill Summary: With regard to TECM revenues, a new provision is as stated, "Monies in excess of eighty million dollars (\$80,000,000) apportioned to local units of government for local highway projects pursuant to section 63-3638(16)(b), Idaho Code, shall be used by local units of government only for the purposes of road and bridge maintenance, the expansion of travel lanes, and congestion mitigation for the primary benefit of motor vehicles to improve traffic flow and traffic travel times."

Effective Date: 07/01/2023

House Bill 0340

IAC Position: No Position

Sponsor(s): Representative Brandon Mitchell, Representative Joe A. Palmer, Phil McGrane, Secretary of the State

County Office(s) Affected: Clerks and Sheriffs

Sub Area: Elections, DMV

Bill Summary: In concert with the revocation of student IDs as valid identification for elections, establishes the responsibility of ITD to issue no-fee identification cards for the purpose of complying with voter registration and voting requirements. Requires new proofs of identity and residence to be included when registering to vote. County clerk required to upload registration applications to statewide voter registration database. Department to issue 4-year, no-fee ID card based on the following criteria: 18 years or older, hasn't possessed a driver's license in the preceding six months, and indicates ID card is needed for voting requirements.

Effective Date: 07/01/2023

Senate Bill 1017

IAC Position: No Position

Sponsor(s): Seth Hobbs, Parks and Recreation

County Office(s) Affected: Assessors

Sub Area: DMV

Bill Summary: Establishment of new licensing process to make water vessel registrations dually apply to invasive species. Under this law, the assessors no longer need to send a duplicate copy of the registration to the department.

Effective Date: 07/01/2023

TRI.2 Transportation

[House Bill 132](#)

IAC Position: No Position

Sponsor(s): Representative Joe A. Palmer

County Office(s) Affected: BOCC and Clerks

Sub Area: Transportation Funding

Bill Summary: ITD is to establish and maintain a NEW strategic initiatives grant program for the purpose to assist local government to mitigate impact of state highway projects on local roads or for economically significant local transportation projects that require assistance from ITD to facilitate. Establishes Strategic Initiatives Local Fund for appropriation process. 50 percent of funds appropriated shall be awarded to large urban areas with population greater than 50,000, while 50 percent shall be awarded to rural areas or small urban areas with population less than 50,000.

Effective Date: 07/01/2023

[House Bill 184](#)

IAC Position: No Position

Sponsor(s): Representative Joe A. Palmer

County Office(s) Affected: BOCC and Clerks

Sub Area: TECM

Bill Summary: Amends existing law to define congestion mitigation as, "means transportation road projects for the primary benefit of motor vehicles designed and constructed to reduce traffic congestion, travel delays, engine idle time, and unproductive fuel consumption. Congestion mitigation includes and is limited to improving vehicle traffic flow and travel times through expanding vehicle travel lanes, improving intersection efficiency, adding turning lanes, improving transportation management systems and signal operations, implementing intelligent transportation system strategies, or a combination of such methods."

Effective Date: 07/01/2023

[House Bill 237](#)

IAC Position: Support
Sponsor(s): Representative Megan Blanksma
County Office(s) Affected: BOCC and Clerks

Sub Area: Transportation Funding Clarification

Bill Summary: Highway User Revenues are not to be used for anything other than road and bridge operations, administration, maintenance, construction, and development.

Effective Date: 07/01/2023

[House Bill 354](#)

IAC Position: Support
Sponsor(s): Representative Clay Handy, Senator Van T. Burtenshaw
County Office(s) Affected: BOCC and Clerks

Sub Area: Transportation Funding

Bill Summary: State allocations of the following: State FY23: \$200M Local Idaho Bridge Funds. State FY24: \$100M NEW Strategic Initiative Grant Program. State FY24: \$121,120,000 Local Highway Distribution Fund.

Effective Date: Session Law Chapter 264; Effective: 04/03/2023 SECTION 1-4; 07/01/2023 all other SECTIONS

[House Bill 376](#)

IAC Position: No Position
Sponsor(s): Representative Jason A. Monks, Representative Mike Moyle
County Office(s) Affected: BOCC

Sub Area: TECM Cap

Bill Summary: Trailer bill to H292. \$80M guaranteed distribution to TECM for bonding purposes, monies over \$80M distributed to local government for local highway projects. \$60M cap added on local portion.

Effective Date: 03/31/2023

[Senate Bill 1016](#)

IAC Position: No Position

Sponsor(s): Senator Scott Herndon, Representative Heather Scott

County Office(s) Affected: BOCC and Clerks

Sub Area: Contracts, Local Control

Bill Summary: Prohibits county from requiring a public works construction contract to provide a multiple occupancy restroom, shower, or changing room (owned or under the control of the contractor) on any basis other than sex.

Effective Date: 07/01/2023

TRI.3 Infrastructure

[House Bill 106](#)

IAC Position: No Position

Sponsor(s): Representative Sage G. Dixon

County Office(s) Affected: BOCC

Sub Area: Infrastructure, Local Control

Bill Summary: Restriction to local control with regard to public municipalities and power source specifications. No local government may impose resolutions, policies, or ordinances that prohibits or has the effect of prohibiting electric, natural gas, propane, or other fuel source connection or reconnection.

Effective Date: 07/01/2023

[House Bill 287](#)

IAC Position: Oppose

Sponsor(s): Representative Joe A. Palmer

County Office(s) Affected: BOCC

Sub Area: Infrastructure, Preemption

Bill Summary: Local control issue. Clarification to Section 39-9701 that contents are currently in effect as of July 1, 2022. Local governments may not impose any kind of code, ordinance, process, policy, or guidance that restricts energy codes differently and/or is more than the Idaho energy conservation code.

Effective Date: 03/31/2023

Senate Bill 1061

IAC Position: No Position

Sponsor(s): Senator Geoff Schroeder, Representative Rick Cheatum, Kate Haas, Western Freedom Energy Action

County Office(s) Affected: BOCC

Sub Area: Planning & Zoning

Bill Summary: Clarifies roles and responsibilities when there is a proposed development near an interstate natural gas or petroleum transmission pipeline as recognized by the pipeline and hazardous materials safety administration, with a center point one thousand (1,000) feet or less from the planned subdivision, provided that the pipeline company operating the interstate natural gas transmission pipeline or interstate petroleum products pipeline is in compliance with section 62-1104, Idaho Code for proposed subdivision developments. This includes due notice to petroleum/natural gas companies that own and operate an interstate gas pipeline. Creates a shared responsibility between the pipeline company, the local government and developer to make sure the three parties have common information about future development, safety protocols, and needs for clarification.

Effective Date: 07/01/2023

Senate Bill 1083

IAC Position: Support

Sponsor(s): Senator Kelly Arthur Anthon

County Office(s) Affected: BOCC

Sub Area: Contract Threshold

Bill Summary: Contracts or purchase expenditures exempt for procuring public works construction if less than \$50,000. Contracts or purchases expenditures exempt to procure services or personal property that are less than \$75,000. Raises threshold requirements to purchase or lease personal property or services valued from \$50,000 to \$75,000 not to exceed \$150,000 raised from \$100,000.

Effective Date: 07/01/2023

[Senate Bill 1129](#)

IAC Position: No Position

Sponsor(s): Senator Kevin Cook, Representative Matthew "Matt" Bundy

County Office(s) Affected: BOCC

Sub Area: Broadband Funding

Bill Summary: Allocates \$124M of ARPA Broadband Infrastructure money for SFY 23.

Effective Date: 03/20/2023

[Senate Bill 1159](#)

IAC Position: No Position

Sponsor(s): Senator Kevin Cook, Representative Matthew "Matt" Bundy

County Office(s) Affected: BOCC

Sub Area: Broadband Funding

Bill Summary: Allocates the following: State FY2024: \$100M allocated for IIJA Broadband Infrastructure. State FY2024: \$300,000 ARPA Broadband Infrastructure. Allocated by Idaho Broadband Advisory Committee.

Effective Date: 03/20/2023

[Senate Bill 1033](#)

IAC Position: No Position

Sponsor(s): Senator Van T. Burtenshaw

County Office(s) Affected: BOCC

Sub Area: Water Rights Policy

Bill Summary: In section 67-6537, Idaho's legislature established the policy that encourages the continued use of surface water when there is a land use change under the land use planning act. Notwithstanding this statute, a recent court decision held that the Director of the Idaho Department of Water Resources exceeded his authority by relying on this policy for purposes of conditioning new groundwater applications. This bill would provide clear authority to the Director to condition new irrigation groundwater rights consistent with this policy.

Effective Date: 07/01/2023