

Legislative Review 2024

 **IAC** IDAHO
ASSOCIATION OF
COUNTIES

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Introduction

The 2024 Idaho Legislative Session concluded with a flurry of activity, leaving a mark as one of the most notable sessions in recent history. The Idaho Association of Counties (IAC) Legislative Committee, under the steadfast leadership of Chair Twin Falls County Commissioner Don Hall and Vice-Chair Ada County Commissioner Tom Dayley, convened 12 times, diligently tracking over 100 bills and taking stances on 29, showcasing a robust commitment to county interests. Notably, 14 out of 20 bills actively supported by the IAC were successfully enacted into law, underscoring the efficacy of our advocacy efforts.

Among the significant victories for counties was the passage of Senate Bill 1403, sponsored by Senator Todd Lakey and Representative Dustin Manwaring. This bill clarified jurisdictional boundaries between counties and cities concerning areas of impact, aligning legislation with the current case law. House Bill 406, championed by Representatives Ted Hill and Chris Allgood and Senator Todd Lakey, established mandatory minimums for Fentanyl dealing and trafficking, addressing crucial public safety concerns.

Moreover, the legislative session witnessed a historic shift in budgetary procedures, with the Joint Finance and Appropriations Committee (JFAC) adopting a new approach. Instead of approving entire department budgets as customary, JFAC introduced "maintenance budgets," followed by separate votes on "enhancements" for additional funding. This transition sparked debates over the definitions of maintenance versus enhancement, leading to significant contention within the House GOP and resulting in the removal of Representative Megan Blanksma as Majority Leader, succeeded by Representative Jason Monks.

The transition in leadership also saw Representative David Cannon assuming the chairmanship of the Revenue and Taxation Committee, previously held by Monks. Amidst these changes, the IAC remained steadfast in its focus on key priorities, including facilitating a smooth transition for county public defenders into the state system and securing \$320 million in state funding for local infrastructure projects, including roads and bridges.

However, not all IAC objectives saw fruition, as initiatives to increase e911 fees, create an EMS Sustainability fund, and change nonprofit hospital property tax exemptions faltered. Despite these setbacks, the collaborative efforts of IAC members, notably the Legislative Committee under the guidance of Chair Don Hall and Vice-Chair Tom Dayley, ensured a successful legislative session.

The 2024 primary election promises a landscape of contested races, foreshadowing potential shifts in legislative dynamics for the upcoming session. In anticipation, the IAC underscores the vital importance of nurturing relationships with incumbent and newly elected legislators, empowering each member to play a crucial role in shaping future advocacy efforts as priorities are formed for the year ahead. The time to act is now.

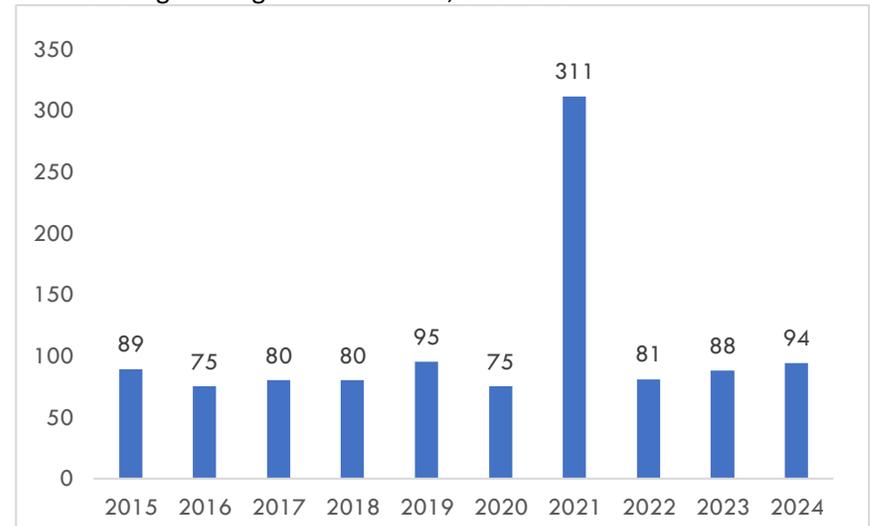
2024 Legislative Session by the Numbers

At the conclusion of each legislative session, the Legislative Services Office (LSO) publishes a final end-of-session progress report, providing a statistical summary of the legislative activity for the year. Reviewing the final 2024 progress report, the numbers back up what we already knew: 2024 was a very busy session.

Length of Session

The 2024 Legislative Session was 94 legislative days, marking the second longest session (when controlling for the 2022 Session, which spent most of the calendar year at recess) of the last ten years. Over the last decade, the average legislative session lasted 84 legislative days. More interesting is the length of the session compared to prior election years. Typically, election-year legislative sessions adjourn by the middle to end of March, averaging 81 days. Despite upcoming primary elections this year, the Legislature adjourned on April 12th.

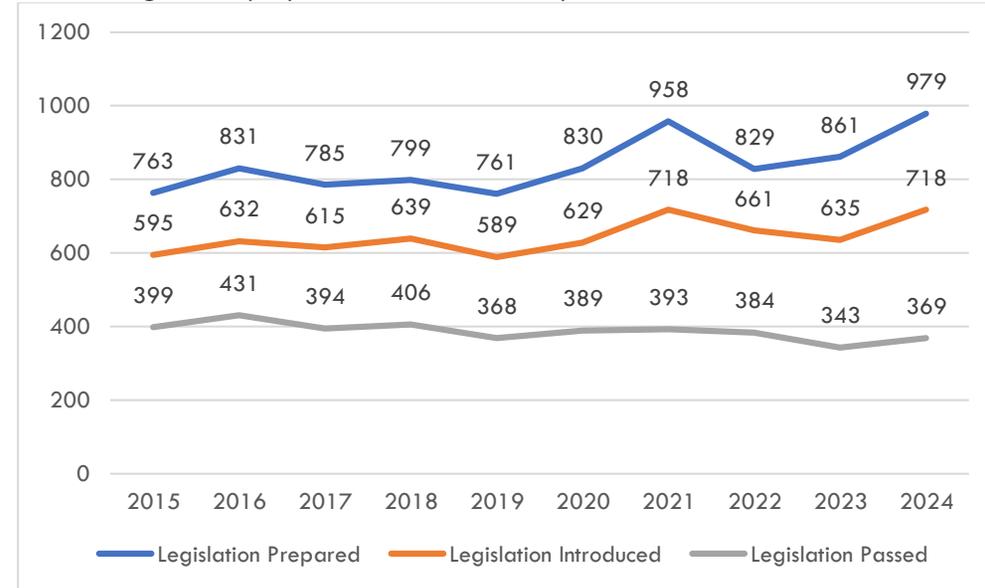
Chart 1: Length of legislative sessions, 2015-2024:



Legislation

There was a significant uptick in the number of bills, resolutions, and memorials prepared by LSO in 2024. In total, 979 pieces of legislation were drafted this year, a 10-year high. Of the legislation prepared, 718 bills, resolutions, and memorials were introduced (73.3% introduction rate). Three hundred sixty-nine bills, resolutions, and memorials passed both chambers (51.4% of legislation introduced). The data shows that the overall percentage of bills introduced and passed is below historical trends. For example, ten years ago, 78% of legislation prepared was eventually introduced, and 67% of bills introduced passed both the House and Senate.

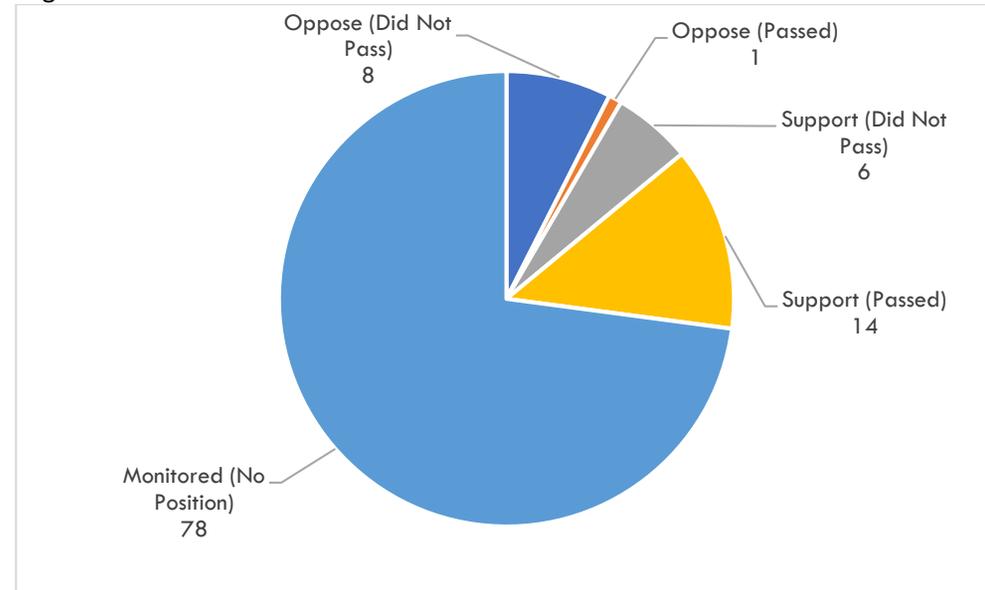
Chart 2: Legislation prepared, introduced, and passed, 2015-2024:



IAC Tracked Legislation

IAC staff tracked 107 bills, resolutions, and memorials in 2024. That means that roughly one out of every seven bills, resolutions, and memorials introduced had a direct impact on county government. Of the 107 pieces of legislation introduced, the IAC Legislative Committee actively opposed nine bills. Of the nine bills opposed, only one passed (House Bill 620 preempting local government regulation of knives). While House Bill 620 passed, it was amended to allow for the regulation of knives in county jails, juvenile detention facilities, and courthouses retaining some regulatory authority for counties. The IAC Legislative Committee actively supported 20 bills, of which 14 passed, all in all, making for a very successful legislative year for IAC.

Chart 3: Bills tracked by the IAC Legislative Committee during the 2024 Legislative Session



Elections

This year, the county clerks hoped to run clean-up legislation aligning the dates and deadlines of each election cycle, whether the primary or general, during an even or odd year. At present, some of these dates are in conflict. Though the clerk's legislative committee put forth a valiant effort, securing unanimous, bipartisan support in the Senate, [Senate Bill 1290](#) ran into a roadblock in the House. It could not get a hearing in the House State Affairs. Only nine election bills reached the governor's desk.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 561	Representative Tina Lambert Senator Scott Herndon	<p>ELECTIONS – Amends existing law to provide for a canvass report after votes are cast for elected offices.</p> <p>Impact: House Bill 561 changes the abstracts of the returns process to a canvass report. The report must include the total number of votes cast for each candidate for office by county and legislative district, the total number of affirmative and negative votes cast for any special questions, and any overvotes or undervotes cast by county.</p>	House • Mar 27, 2024: Effective: 07/01/2024	Bill Text	Subject Elections
H 599	Representative Mike Moyle Representative Brandon Mitchell	<p>ELECTIONS – Adds to existing law to prohibit ballot harvesting, to provide certain exceptions, and to establish penalties for violations.</p> <p>Impact: House Bill 599 creates clear guidelines regarding ballot harvesting. It provides exceptions for the needs of county elections staff regarding handling completed ballots. It also allows family members to turn in ballots on another member's behalf. A person caught with ten or more completed ballots could be charged with a felony. Between six and ten would result in a misdemeanor.</p>	House • Apr 10, 2024: Effective: 04/08/2024	Bill Text	Subject Elections

<p>HJR 5</p>	<p>Representative Kevin Andrus Senator Doug Okuniewicz</p>	<p>ELECTIONS – Amends existing law to provide that individuals who are not citizens of the United States cannot vote in any election in the State of Idaho.</p> <p>Impact: A proposed constitutional amendment to clarify that only U.S. Citizens who are Idaho residents are qualified electors. It will need to be placed on the November 2024 General Election Ballot.</p>	<p>House • Mar 28, 2024: Delivered to Secretary of State at 3:30 p.m. on March 27, 2024</p>	<p>Bill Text</p>	<p>Subjects Elections</p>
<p>S 1244</p>	<p>Senator Linda Wright Hartgen Representative Mark Sauter</p>	<p>ELECTIONS – Amends existing law to revise provisions regarding electioneering activities near polling places, to provide certain qualifications, and to revise penalties for violations.</p> <p>Impact: This legislation updates Idaho's Electioneering at the Polls Prohibition. It moves the line from 100 feet from a polling place to 250 feet from the primary entrance and exit used by voters at the polling place or other voting location. Private property rights are still protected. It allows any election official to take steps to address the electioneering, including contacting law enforcement. The first two violations are an infraction punishable by a \$300 fine. A violation of three or more times is a misdemeanor.</p>	<p>House • Mar 26, 2024: Effective: 03/26/2024</p>	<p>Bill Text</p>	<p>Subjects Elections</p>
<p>S 1260</p>	<p>Senator Melissa Wintrow Senator Treg A. Bernt</p>	<p>CITY ELECTIONS – Amends existing law to provide that no election needs to be held for unopposed offices in cities with a population under 100,000.</p> <p>Impact: Requires elections for uncontested races to be held in cities with populations over 100,000.</p>	<p>House • Apr 03, 2024: Effective: 07/01/2024</p>	<p>Bill Text</p>	<p>Subjects Elections</p>
<p>S 1377</p>	<p>Senator Doug Okuniewicz</p>	<p>BALLOT MEASURES – Amends existing law to require paid signature gatherers to disclose that they are being paid and to revise provisions regarding the collection of signatures for ballot measures.</p>	<p>House • Apr 03, 2024: Effective: 07/01/2024</p>	<p>Bill Text</p>	<p>Subjects Elections</p>

		<p>Impact: Creates new requirements for paid petition gatherers, including the following: Must verbally inform potential petition signers that they are being paid to gather signatures and wear a badge identifying them as "paid petition circulators." The petition must have a clear font (to be determined by the Secretary of State) on the petition that the signature gatherer is receiving payment. Both paid and unpaid petition gatherers must sign affidavits acknowledging whether or not they are paid to gather signatures. The county clerk will now be required to confirm that each name, address, and signature matches a qualified elector's information and confirm that petitions conform to all provisions in the section for the petition to be valid.</p>			
S 1394	Senator Treg A. Bernt	<p>ELECTIONS – Amends and adds to existing law to revise provisions regarding voting machines, certain duties of election officials, and the payment of election expenses by counties and provides for public voting machine accuracy tests.</p> <p>Impact: Amends section 18-2306, Idaho Code, to make tampering with voting machines or vote tally systems a felony offense. A new "vote tally system" definition was added to 34-2401, Idaho Code. The secretary of state (SOS) may authorize access to voting machines or vote tally systems with the county clerk's consent to test, inspect, maintain, or for other reasons deemed necessary by the SOS. The bill also updates language in 34-2409, Idaho Code, regarding the certification process for voting machines and tally systems. It clarifies that no vote tally system is to be connected to the internet at any time, nor should it receive or transmit data through wireless communications. This doesn't apply to electronic poll books. Finally, the bill creates a new section of code 34-2426, Idaho Code, laying out the Public Logic and Accuracy Tests process.</p>	House • Apr 02, 2024: Effective: 07/01/2024	Bill Text	Subjects Elections

<p>H 574</p>	<p>Representative Kevin Andrus</p>	<p>BOND AND LEVY ELECTIONS – Amends existing law to require certain disclosures in bond and levy elections that include information regarding state tax relief and when such state tax relief is set to expire.</p> <p>Impact: Requires the ballot question or official statements regarding bonded indebtedness or levies that include information regarding guaranteed tax relief funds of a specific dollar amount to include information about when those funds will expire; otherwise, the information cannot be included.</p>	<p>House • Mar 19, 2024: Effective: 07/01/2024</p>	<p>Bill Text</p>	<p>Subjects Elections Revenue & Taxation</p>
<p>H 521</p>	<p>Representative Mike Moyle Representative Jason A. Monks</p>	<p>TAXATION – Amends, repeals, and adds to existing law to revise provisions regarding tax rates, school facilities funding, and school district bond and tax levy elections.</p> <p>Impact: The county auditor will complete the HTR roll using the prior year's eligible levies instead of the current year to allow changes to the timeline created by H292 last year.</p> <p>This legislation also eliminates the Additional Tax Relief Fund (ATR). It changes the dates that the Idaho State Tax Commission (ISTC) will confirm the School District Facilities Funds (SDFF) and the School Modernization Facilities Fund (SMFF). The ISTC will now be required to certify final amounts to the auditor and tax collector by the 3rd Monday in September instead of the end of October, which was last year's requirement.</p> <p>The August election date has also been eliminated in this legislation.</p>	<p>House • Apr 02, 2024: 07/01/2024 all other SECTIONS</p>	<p>Bill Text</p>	<p>Subjects Elections Revenue & Taxation</p> <p>Position Support</p>

Justice & Public Safety

The public defense transition from a county to a state-led regional system required clean-up legislation. IAC also had priorities and policies that we advocated for, including adding Fentanyl to the mandatory minimums, marking EMS as an essential service, creating an EMS Sustainability Fund, and increasing the e911 fee to aid with funding to account for inflation and next-generation infrastructure needs. Mandatory minimums for Fentanyl made it across the finished line. More work must be done to educate and build support for EMS Sustainability. Getting the e911 fee legislation published achieved our goal for the session by helping other stakeholders understand that this is a serious issue that needs to be addressed. More research is required to determine the best course of action regarding funding for next-generation e911. IAC will continue working with stakeholders on both public safety priorities over the interim.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 629	Representative Douglas T. Pickett	<p>DIVORCE ACTIONS – Amends existing law to provide that a guardian ad litem may be appointed for a dependent child during divorce proceedings.</p> <p>Impact: It allows the court to appoint a guardian ad litem to represent the interests of a minor or dependent child if the court deems such assistance necessary. If both parties are found to be indigent, the court must enter an order requiring the county to bear the costs, fees, and disbursements.</p>	House • Mar 28, 2024: Effective: 07/01/2024	Bill Text	Subjects Justice & Public Safety
S 1247	Senator Melissa Wintrow Representative Chenele Dixon	<p>HEALTH – Adds to existing law to provide 24-hour holds for persons with major neurocognitive disorders experiencing an acute crisis.</p> <p>Impact: This bill creates a legal and compassionate pathway to take someone with a major neurocognitive disorder, such as Alzheimer's disease or dementia, in an acute crisis and a danger to themselves or others to a hospital emergency room for a medical assessment to</p>	House • Apr 02, 2024: Effective: 10/01/2024	Engrossment 1	Subjects Justice & Public Safety

		determine if an undiagnosed medical reason is the cause of the acute crisis. This bill allows for due process for the patient.			
S 1374	Senator Scott Herndon Senator Todd M. Lakey	<p>CONCEALED WEAPONS – Amends existing law to establish provisions regarding concealed weapons on certain property owned by the State of Idaho.</p> <p>Impact: This legislation concerns the right to carry a firearm on certain public property in Idaho and is intended to clarify the legislature's policy following the June 2023 decision of the Idaho Supreme Court in Herndon v. Sandpoint. The changes clarify policy regarding property owned by the state or its political subdivisions that is normally and habitually open to the public but is being leased, rented, or provided by contract to groups holding private, invitation-only events or events that charge admission. In the cases where public property is normally open to the public and concealed weapons would normally be allowed, the only restrictions that may be invoked on that property are when a private group has contracted to use the property for a private event and by invitation only, or where a commercial event occurs and there is a price charged for admission.</p>	House • Mar 27, 2024: Effective: 07/01/2024	Engrossment 1	Subjects Justice & Public Safety Local Control
S 1416	Senator Mark Harris Senator Carl Bjerke Representative Blanksma Representative Mark Sauter	<p>EMERGENCY MEDICAL SERVICES – Amends existing law to transfer the Emergency Medical Services Bureau to within the Office of Emergency Management, to designate EMS as an essential government service, and to create the Emergency Medical Services Sustainability Fund.</p> <p>Impact: This legislation did not pass. It would have moved the Emergency Medical Services (EMS) Bureau out of the Idaho Department of Health and Welfare and relocated it into the Office of Emergency Management. It also would have defined emergency medical services as</p>	House • Mar 21, 2024: Read First Time, Referred to State Affairs	Bill Text	Subjects Justice & Public Safety Local Control Position Support

		essential and created a sustainability fund to help offset personnel and operating costs associated with assuring the availability of emergency medical services.			Priority IAC Priority
H 508	Representative Richard W. Cheatum Representative Marco Adam Erickson	<p>PERSI – Amends existing law to revise provisions regarding police officer member status.</p> <p>Impact: This legislation is to add Peace Officer Standards and Training (POST) certified juvenile detention supervisors, juvenile probation supervisors, adult misdemeanor supervisors, emergency communications supervisors, and Idaho Department of Juvenile Corrections to the Rule of 80 retirement plan as is currently conducted with their adult counterparts.</p>	House • Mar 19, 2024: Effective: 07/01/2024	Bill Text	Subjects Justice & Public Safety Position Support
H 593	Representative Jon O. Weber	<p>STATE OFFICERS AND EMPLOYEES – Amends existing law to provide for certain credited state service and utilization of unused paid time off for certain eligible non-classified officers and employees hired by the Office of the State Public Defender before January 1, 2025.</p> <p>Impact: With the creation of the State Public Defender's Office, county employees will move over as an employee to the State of Idaho. Employees moving to the State Public Defender's Office will receive comparable accrual rates based on their county PERSI hours. Employees will be allowed to transfer up to 40 hours of vacation. Funds from the counties will be deposited into the Public Defense Fund to pay for vacation hours transferred by each employee.</p>	House • Mar 25, 2024: Effective: 03/22/2024	Bill Text	Subjects Justice & Public Safety Position Support

<p>H 697</p>	<p>Representative Jon O. Weber</p>	<p>STATE OFFICERS AND EMPLOYEES – Amends existing law to provide for certain credited state service and utilization of unused sick leave for certain eligible non-classified officers and employees hired by the Office of the State Public Defender before January 1, 2025.</p> <p>Impact: With the creation of the State Public Defender's Office, county employees will move over as an employee to the State of Idaho. Employees moving to the State Public Defender's Office will receive comparable accrual rates based on their county PERSI hours. Employees will be allowed to transfer up to 40 hours of unused sick leave. Funds from the counties will be deposited into the Public Defense Fund to pay for unused sick leave hours transferred by each employee.</p>	<p>House • Mar 28, 2024: Effective: 03/28/2024</p>	<p>Bill Text</p>	<p>Subjects Justice & Public Safety</p> <p>Position Support</p>
<p>S 1365</p>	<p>Senator Mark Harris Representative Dustin Manwaring</p>	<p>DRIVER'S LICENSES – Adds to existing law to establish a next of kin database and a procedure for next of kin to be notified in the event of certain emergency situations.</p> <p>Impact: This legislation amends Chapter 2, Title 49, Idaho Code, adding a new section, 49-245, to create a Next-of-Kin Database within Idaho Transportation Department's (ITD) Department of Motor Vehicles (DMV). This will allow the DMV to collect the necessary information for coroners and other law enforcement to notify a relative or friend in the case of injury, death, or other emergencies. The information is voluntary for the driver's license owner. The legislation also defines next-of-kin.</p>	<p>House • Mar 21, 2024: Effective: 07/01/2025</p>	<p>Engrossment <u>1</u></p>	<p>Subjects Justice & Public Safety</p> <p>Position Support</p>
<p>S 1367</p>	<p>Senator Abby Lee</p>	<p>PUBLIC DEFENSE – Amends and adds to existing law to establish provisions regarding public defense for indigent persons in this state.</p> <p>Impact: Before the establishment of the Office of the State Public Defender in 2023, counties were responsible for paying for</p>	<p>House • Apr 03, 2024: 10/01/2024 SECTION 1-5</p>	<p>Bill Text</p>	<p>Subjects Justice & Public Safety</p>

		<p>representation for indigent individuals. This legislation clarifies that the Office of the State Public Defender is now responsible for providing coverage and payment for indigent representation and any statutorily required coverage. This bill also creates a fund to coordinate statewide payments for Guardian Ad Litem representation previously paid by individual counties. A separate account is necessary to ensure a delineation from any funds for the representation of indigent individuals in other cases.</p>			<p>Position Support</p>
<p>H 406</p>	<p>Representative Ted Hill Representative Christopher M. Allgood</p>	<p>UNIFORM CONTROLLED SUBSTANCES – Adds to existing law to provide for the crimes of trafficking in Fentanyl and drug-induced homicide.</p> <p>Impact: This legislation adds Fentanyl to the list of dangerous drugs that carry mandatory minimum sentences. It defines the amounts of Fentanyl that are required to meet the elements for the crime of trafficking (three tiers). This statute is not meant to capture the personal user. It is intended to make clear the punishment for those who choose to manufacture, deliver, or bring into the state amounts of Fentanyl that meet the quantities listed in this bill. It also adds provisions for the crime of drug-induced homicide and the corresponding punishment that is a felony to include an indeterminate term of life sentence and a maximum fine of \$25,000.</p>	<p>House • Feb 26, 2024: Effective: 07/01/2024</p>	<p>Bill Text</p>	<p>Subjects Justice & Public Safety</p> <p>Position Support</p> <p>Priority IAC Priority</p>
<p>H 530</p>	<p>Representative Dustin Manwaring</p>	<p>EMERGENCY COMMUNICATIONS ACT – Amends existing law to revise the amount of an emergency communications fee.</p> <p>Impact: This legislation increases the 911 fee that counties receive. The 911 fee was established in 1988 and has not changed. Many counties cannot provide the 911 services required due to increasing costs of the technologies. Additionally, all systems need to be upgraded. The system</p>	<p>House • Feb 12, 2024: Reported Printed and Referred to Local Government</p>	<p>Bill Text</p>	<p>Subjects Justice & Public Safety</p> <p>Position Support</p>

		upgrades are not a question of if but when. The current infrastructure for the 911 system is standing on legacy technology that will be removed and counties will have to have systems in place that will work on the new technologies.			Priority IAC Priority
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Local Control

The Idaho Association of Counties affirms the fundamental belief that counties created by the state constitution are more than local branches of the state or federal government. The level of government closest to the people should be used for the public functions it can handle. Each year, legislators propose pre-emption bills that would remove control at the local level. We also see bills that give counties more authority, though this legislation is less frequently proposed. The 2024 Legislative Session was no different. One highlight for increased local control was House Bill 478 sponsored by Representative Jon Weber. This bill allows counties to perform electrical and plumbing inspections if they choose.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 545	Representative Brandon Mitchell	<p>PROPERTY – Amends existing law to provide that a local governmental unit shall not enact, maintain, or enforce an ordinance or a resolution that forces participation in an optional federal housing assistance program or regulates rent, fees, or deposits charged for leasing private residential property.</p> <p>Impact: Preempts local governments from enacting, maintaining, or enforcing ordinances that force participation in an optional federal housing assistance program or regulating rent, fees, or deposits charged for leasing private property.</p>	House • Apr 02, 2024: Effective: 07/01/2024	Bill Text	Subjects Local Control
H 572	Representative Dale R. Hawkins Senator Brian Lenney	<p>GUARANTEED INCOME PROGRAMS – Adds to existing law to preempt laws regarding guaranteed income programs that are not expressly authorized by state statute.</p> <p>Impact: This legislation preempts counties from funding or administering a "guaranteed income, which is defined as a program where an individual is provided with regular, unconditional cash</p>	House • Mar 28, 2024: Effective: 07/01/2024	Engrossment 1	Subjects Local Control

		<p>payments to be used for any purpose by the individual. It does not include a program in which an individual is required to seek reemployment, perform work, or attend training as a condition of payments.</p>			
H 608	<p>Representative Kevin Andrus</p>	<p>AGRICULTURE – Adds to existing law to provide for agricultural protection areas.</p> <p>Impact: This legislation requires counties to establish an agriculture protection area (APA) ordinance by no later than January 1, 2025. An APA ordinance aims to establish a process whereby farmers and ranchers, as well as owners of timberland, may voluntarily petition the county to include their lands within an APA. Lands placed in an APA will be dedicated to agricultural use for no less than ten years and no more than 20 years. Lands placed in an APA are exempt from most land use regulations so long as the use does not deviate from the land's original agricultural use designation. Only limited use of eminent domain to maintain or expand an existing highway right of way is allowed. All other local government uses of eminent domain are prohibited.</p>	<p>House • Mar 28, 2024: Effective: 07/01/2024</p>	<p>Engrossment 1</p>	<p>Subjects Local Control Planning & Zoning</p>
H 478	<p>Representative Jon O. Weber Senator Mark Harris</p>	<p>ELECTRICAL CODE AND PLUMBING CODE – Amends existing law to provide for local enforcement of the Idaho electrical code and the Idaho plumbing code.</p> <p>Impact: Authorizes counties to perform electrical and plumbing inspections. Counties that choose not to perform inspections may allow the state to continue performing inspections or contract with a city.</p>	<p>House • Mar 19, 2024: Effective: 03/18/2024</p>	<p>Bill Text</p>	<p>Subjects Local Control Planning & Zoning</p> <p>Position Support</p>

<p>H 620</p>	<p>Representative Jordan Redman</p>	<p>KNIVES – Adds to existing law to provide that a political subdivision shall not enact certain rules, ordinances, or taxes regarding knives, to provide certain exceptions, and to provide that certain rules and ordinances from a political subdivision shall be null and void.</p> <p>Impact: The purpose of this legislation is to prevent political subdivisions from regulating the possession, sale, transfer, or manufacture of knives more strictly than Idaho Code. Knives may still be regulated by public schools, any court of record for any courthouse, all law enforcement facilities, places of involuntary confinement, including prisons and jails established pursuant to Title 20, Idaho Code, and entities managed and operated pursuant to section 56-203, Idaho Code.</p>	<p>House • Mar 28, 2024: Effective: 07/01/2024</p>	<p>Engrossment <u>1</u></p>	<p>Subjects Local Control</p> <p>Position Oppose</p>
<p>H 729</p>	<p>Representative Joe A. Palmer</p>	<p>HIGHWAYS AND BRIDGES – Amends existing law to revise provisions regarding the legislative policy on highway-related expenditures.</p> <p>Impact: Requires Board of County Commissioners to certify that all highway user revenues and ad valorem levies are expended only to support operations, administration, maintenance, construction, and development of bridges and highways that primarily benefit motor vehicles in their jurisdiction.</p>	<p>House • Apr 02, 2024: Effective: 07/01/2024</p>	<p>Bill Text</p>	<p>Subjects Local Control Transportation</p>
<p>S 1374</p>	<p>Senator Scott Herndon Senator Todd M. Lakey</p>	<p>CONCEALED WEAPONS – Amends existing law to establish provisions regarding concealed weapons on certain property owned by the State of Idaho.</p> <p>Impact: This legislation concerns the right to carry a firearm on certain public property in Idaho and is intended to clarify the legislature's policy following the June 2023 decision of the Idaho Supreme Court in</p>	<p>House • Mar 27, 2024: Effective: 07/01/2024</p>	<p>Engrossment <u>1</u></p>	<p>Subjects Justice & Public Safety Local Control</p>

		<p>Herndon v. Sandpoint. The changes clarify policy regarding property owned by the state or its political subdivisions that is normally and habitually open to the public but is being leased, rented, or provided by contract to groups holding private, invitation-only events or events that charge admission. In the cases where public property is normally open to the public and concealed weapons would normally be allowed, the only restrictions that may be invoked on that property are when a private group has contracted to use the property for an event that is private and by invitation only, or where a commercial event occurs and there is a price charged for admission.</p>			
<p>S 1416</p>	<p>Senator Mark Harris Senator Carl Bjerke Representative Blanksma Representative Mark Sauter</p>	<p>EMERGENCY MEDICAL SERVICES – Amends existing law to transfer the Emergency Medical Services Bureau to within the Office of Emergency Management, to designate EMS as an essential government service, and to create the Emergency Medical Services Sustainability Fund.</p> <p>Impact: This legislation would have moved the Emergency Medical Services (EMS) Bureau out of the Idaho Department of Health and Welfare and relocated it to the Office of Emergency Management. This legislation would have also defined emergency medical services as essential and created a sustainability fund to help offset personnel and operating costs associated with assuring the availability of emergency medical services.</p>	<p>House • Mar 21, 2024: Read First Time, Referred to State Affairs</p>	<p>Bill Text</p>	<p>Subjects Justice & Public Safety Local Control</p> <p>Position Support</p> <p>Priority IAC Priority</p>

Planning & Zoning

Two ground-breaking laws passed by the legislature this year will significantly impact county planning and zoning. First, House Bill 608 allows landowners of agriculture and timberland to petition to include their lands in an agriculture protection area (APA). This will require counties to establish ordinances for that purpose by January 1, 2025. Second, Senate Bill 1403, sponsored by Senator Todd Lakey, is a significant update to the area of impact statute.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 425	Representative Dustin Manwaring	<p>STATE DISASTER PREPAREDNESS – Amends existing law to revise the definition of development.</p> <p>Impact: This legislation ensures Idaho maintains eligibility for national floodplain insurance by removing language from Idaho Code that previously prohibited a county or city from regulating the operation, cleaning, maintenance, or repair of irrigation infrastructure located within a floodplain.</p>	House • Mar 26, 2024: Effective: 03/25/2024	Bill Text	Subjects Planning & Zoning
S 1293	Senator Julie VanOrden Representative Julianne Young	<p>ANNEXATION BY CITIES – Repeals and adds to existing law to establish provisions regarding annexation of land by cities.</p> <p>Impact: Aside from an exception for annexing land that landowners have requested be annexed, this legislation disallows the city to annex land until the following criteria are met:</p> <ul style="list-style-type: none"> • City notifies each landowner and the Board of County Commissioners of its intent to annex the land, • City publishes notice of its intent to annex the subject land, including a public hearing notice, • City council adopts a written annexation plan, 	House • Apr 03, 2024: Effective: 07/01/2024	Engrossment 2	Subjects Planning & Zoning

		<ul style="list-style-type: none"> • City council & planning and zoning each holds a public hearing that allows landowners and city residents an opportunity to testify for or against annexation, and • Landowners representing 60 percent of the parcels and at least 50 percent of the area proposed for annexation give voluntary consent which must be recorded with the county recorder's office. <p>All portions of highways lying wholly or partly in the area to be annexed must be included in the area annexed unless there is an express agreement between the city and governing board of highway agency. A strip of land comprising the highway's right-of-way used as a shoestring cannot be used to establish contiguity.</p> <ul style="list-style-type: none"> • Fairground property cannot be annexed unless approved by the Board of County Commissioners. • Agriculture and forest lands may not be annexed without the express written permission of the landowner if the land is five acres or greater and is actively devoted to agriculture or forest land, regardless of whether or not it is contiguous or even surrounded by the city. <p>City-initiated annexation is subject to judicial review.</p>			
S 1403	Senator Todd M. Lakey Representative Dustin Manwaring	<p>PLANNING AND ZONING – Amends existing law to revise provisions regarding comprehensive plans and areas of impact.</p> <p>Impact: This legislation updates Idaho's area of impact statute to comply with <i>Blaha v Ada County</i> in clarifying that only the county has jurisdiction within the area of impact. Furthermore, the law requires area of impact ordinances to be reviewed every five years, limits area of impact boundaries to no more than two miles from existing city limits, prohibits area of impact boundaries from</p>	House • Mar 29, 2024: Effective: 07/01/2024	Bill Text	<p>Subjects Planning & Zoning</p> <p>Position Support</p> <p>Priority</p>

		<p>overlapping, eliminates the committee of nine, clarifies that area of impact decisions are legislative in nature and not subject to judicial review (except in case that the county fails to follow the law), and requires the existing area of impact ordinances to be reviewed by December 31, 2025, to ensure compliance with the law.</p>			<p>IAC Priority</p>
<p>H 608</p>	<p>Representative Kevin Andrus</p>	<p>AGRICULTURE – Adds to existing law to provide for agricultural protection areas.</p> <p>Impact: This legislation requires counties to establish an agriculture protection area (APA) ordinance by no later than January 1, 2025. An APA ordinance aims to establish a process whereby farmers and ranchers, as well as owners of timberland, may voluntarily petition the county to include their lands within an APA. Lands placed in an APA will be dedicated to agricultural use for no less than ten years and no more than 20 years. Lands placed in an APA are exempt from most land use regulations so long as the use does not deviate from the land's original agricultural use designation. Only limited use of eminent domain to maintain or expand an existing highway right of way is allowed. All other local government uses of eminent domain are prohibited.</p>	<p>House • Mar 28, 2024: Effective: 07/01/2024</p>	<p>Engrossment <u>1</u></p>	<p>Subjects Local Control Planning & Zoning</p>
<p>H 478</p>	<p>Representative Jon O. Weber Senator Mark Harris</p>	<p>ELECTRICAL CODE AND PLUMBING CODE – Amends existing law to provide for local enforcement of the Idaho electrical code and the Idaho plumbing code.</p> <p>Impact: Authorizes counties to perform electrical and plumbing inspections. Counties that choose not to perform inspections may allow the state to continue performing inspections or contract with a city.</p>	<p>House • Mar 19, 2024: Effective: 03/18/2024</p>	<p>Bill Text</p>	<p>Subjects Local Control Planning & Zoning</p> <p>Position Support</p>

Revenue & Taxation

This year was relatively quiet after the past four years' flurry of property tax legislation. The House Revenue and Taxation Committee only met about 20 times during the session. In years past, it was not unusual for them to meet almost daily during the session. While the committee did not meet often, IAC was still putting a lot of work behind the scenes. For example, IAC Executive Director Seth Grigg met with the Revenue & Taxation Chair, the Speaker of the House, the Senate Local Government & Taxation Chair, and other key members almost daily as they worked to find solutions to prevent property tax shifts. One potential solution they worked to craft would have created a kilowatt-hour tax for centrally assessed power companies. We anticipate that, over the interim, work will continue to find solutions to potential property tax shifting.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 574	Representative Kevin Andrus	<p>BOND AND LEVY ELECTIONS – Amends existing law to require certain disclosures in bond and levy elections that include information regarding state tax relief and when such state tax relief is set to expire.</p> <p>Impact: Requires the ballot question or official statements regarding bonded indebtedness or levies that include information regarding guaranteed tax relief funds of a specific dollar amount to include information about when those funds will expire. Otherwise, the information cannot be included.</p>	House • Mar 19, 2024: Effective: 07/01/2024	Bill Text	Subjects Elections Revenue & Taxation
H 521	Representative Mike Moyle Representative Jason A. Monks	<p>TAXATION – Amends, repeals, and adds to existing law to revise provisions regarding tax rates, school facilities funding, and school district bond and tax levy elections.</p> <p>Impact: The county auditor will complete the HTR roll using the prior year's eligible levies instead of the current year to allow changes to the timeline created by H292 last year.</p>	House • Apr 02, 2024: 07/01/2024 all other SECTIONS	Bill Text	Subjects Elections Revenue & Taxation Position Support

		<p>This legislation also eliminates the Additional Tax Relief Fund (ATR). It changes the dates that the Idaho State Tax Commission (ISTC) will confirm the School District Facilities Funds (SDFF) and the School Modernization Facilities Fund (SMFF). The ISTC will now be required to certify final amounts to the auditor and tax collector by the 3rd Monday in September instead of the end of October, which was last year's requirement.</p> <p>The August election date has also been eliminated in this legislation.</p>			
H 444	Representative Jeff Ehlers Senator Phil Hart	<p>COUNTY PROPERTY – Amends existing law to revise a provision regarding a sale, exchange, or donation of county property.</p> <p>Impact: Prohibits a county from transferring a property tax deeded after July 1, 2024, to another taxing district. A county may sell a tax-deeded property to another taxing district.</p>	House • Mar 12, 2024: Effective: 07/01/2024	Bill Text	Subjects Revenue & Taxation
H 449	Representative Jeff Ehlers	<p>PROPERTY TAXES – Amends existing law to provide penalties for improper homestead exemption claims and to provide for information-sharing between certain government entities.</p> <p>Impact: This legislation explains what information homeowners are required to provide when applying for the homestead exemption including the following: homeowner's full name, date of birth, complete address, and most recent previous complete address.</p> <p>The homeowner must also provide their state-issued driver's license or identification card number if applicable.</p> <p>In addition, the legislation creates penalties for homeowners claiming more than one homestead exemption for the first violation and subsequent violations, though taxpayers may appeal.</p>	House • Mar 25, 2024: Effective: 07/01/2024	Bill Text	Subjects Revenue & Taxation

		Finally, the bill requires the county assessor to deliver the information received on the homestead exemption application form to the Idaho State Tax Commission (ISTC). The ISTC is required to share this information with the Secretary of State to assist in determining a person's residence for voting purposes and candidate qualifications.			
H 618	Representative Heather Scott Senator Scott Herndon	<p>ELECTIONEERING MESSAGES – Amends existing law to expand and add to a prohibition against electioneering messages on certain government correspondence.</p> <p>Impact: This bill, relating to tax-related correspondence, defines an "electioneering message" to include statements regarding, expressing support for, or soliciting support for any governmental program or initiative or nonprofit corporation, program, or initiative of a nonprofit corporation. Counties are not allowed to include this type of message in correspondence. An exception is made if it is on a county standard letterhead.</p>	House • Mar 19, 2024: Effective: 07/01/2024	Bill Text	Subjects Revenue & Taxation
H 739	Representative John Vander Woude	<p>TAXATION – Amends existing law to revise provisions regarding hospital property tax exemptions and to specify requirements to qualify for an exemption.</p> <p>Impact: This hospital property tax exemption was one of IAC's priorities for the 2024 session. The change of chairs to the Revenue and Taxation Committee from Representative Jason Monks to Representative David Cannon midway through the session caused a roadblock that we were unable to overcome before the conclusion of the session.</p>	House • Mar 25, 2024: Reported Printed and Referred to Revenue & Taxation	Bill Text	Subjects Revenue & Taxation

<p>H 717</p>	<p>Representative Ned Burns Representative Jeff Ehlers</p>	<p>TAXATION – Amends existing law to revise provisions regarding the burden of proof in assessments and to provide for the proration of the homestead exemption based on the change in status of a property.</p> <p>Impact: This legislation combined House Bill 701 (which IAC supported) with language that we could not support that shifted the burden of proof during Board of Equalization hearings from the property owner to the county assessor. We tried working with the bill sponsor on amendments to make the bill more palatable but could not reach an agreement before the session's conclusion. We anticipate this issue will likely come back in some form next year.</p>	<p>House • Mar 25, 2024: Retained on General Orders</p>	<p>Bill Text</p>	<p>Subjects Revenue & Taxation</p> <p>Position Oppose</p>
<p>H 701</p>	<p>Representative Ned Burns Representative Jason A. Monks</p>	<p>TAXATION – Amends existing law to provide for the proration of the homestead exemption based on the change in status of the property.</p> <p>Impact: This bill would have clarified the homestead exemption proration process. The Idaho REALTORS Association and Idaho Association of Counties worked together on this legislation. Assessors, treasurers, and the Idaho State Tax Commission were all involved to ensure the bill was administrable. While it did not reach the finish line this year, we will likely see a version of this come back again next year.</p>	<p>House • Mar 25, 2024: Retained on General Orders</p>	<p>Bill Text</p>	<p>Subjects Revenue & Taxation</p> <p>Position Support</p>
<p>H 658</p>	<p>Representative John Vander Woude</p>	<p>TAXATION – Amends existing law to revise provisions regarding hospital property tax exemptions and to specify requirements to qualify for the exemption.</p> <p>Impact: This was the first version of the hospital property tax exemption legislation that IAC proposed. See House Bill 739 for further details.</p>	<p>House • Feb 26, 2024: Reported Printed and Referred to Revenue & Taxation</p>	<p>Bill Text</p>	<p>Subjects Revenue & Taxation</p> <p>Priority IAC Priority</p>

Transportation

The legislature started the session with controversy over how JFAC administered budgets, and it ended similarly. The "enhancement" appropriation for the Idaho Department of Transportation (including funding for county road maintenance and local bridge repair funding) proved a hot topic. The disagreement was not over the local funds in the bill, but anything can happen when an appropriations bill is disputed. IAC worked tirelessly with our local partners, ensuring that local funding did not become a casualty of the dispute.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
S 1282	Senator Chris T. Trakel Representative Clay Handy	<p>MOTOR VEHICLE REGISTRATION – Amends existing law to establish temporary motor vehicle registration permit provisions.</p> <p>Impact: This legislation amends Idaho Code to allow the county assessor to issue two thirty-day temporary vehicle registration permits if the vehicle owner is attempting to sell the vehicle as a private party.</p>	House • Mar 15, 2024: Effective: 07/01/2024	Bill Text	Subjects Transportation
H 638	Representative Joe A. Palmer	<p>STRATEGIC INITIATIVES GRANT PROGRAM – Amends existing law to revise provisions regarding the Strategic Initiatives Grant Program.</p> <p>Impact: The Strategic Initiatives Grant program will now be administered by the Local Highway Technical Assistance Council instead of the Idaho Transportation Department. (Note: No funding was appropriated for this grant program this year.)</p>	House • Mar 28, 2024: Effective: 07/01/2024	Engrossment 1	Subjects Transportation Position Support

<p>H 770</p>	<p>Representative Clay Handy Senator Kevin Cook</p>	<p>IDAHO TRANSPORTATION DEPARTMENT – FUNDING – Relates to the funding of the Idaho Transportation Department for fiscal year 2025.</p> <p>Impact: Passage of House Bill 770 ensures that counties and other local highway jurisdictions continue to receive over \$121 million in state funding for road and bridge maintenance and an additional \$200 million in one-time funding for local bridge repair and replacement.</p>	<p>House • Apr 03, 2024: Effective: 07/01/2024 SECTION 1-6 and 8-15</p>	<p>Bill Text</p>	<p>Subjects Transportation</p> <p>Position Support</p>
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Miscellaneous

Though several bidding and procurement bills were proposed during the 2024 legislative session, only one bill affecting counties was completed. Over the past few years county governments have been grappling with a vast increase in public records requests. The state and other local governments have been struggling with a similar issue. House Bill 588 is meant to help ease some of the pressure that comes with the numerous requests.

Bills	Sponsors	Title & County Impact	Last Action	Latest Version	Subjects & Positions
H 571	Representative Mark Sauter	DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES – Amends existing law to exempt certain subcontractors from licensure, to increase a dollar amount related to an exemption, and to eliminate a class of licensure. Impact: This legislation raises the dollar threshold for a single public works project, which requires oversight by a licensed contractor, from \$50,000 to \$100,000.	House • Mar 19, 2024: Effective: 07/01/2024	Bill Text	Subject Bidding & Procurement Position Support
H 588	Representative Mike Moyle Representative Sonia R. Galaviz	PUBLIC RECORDS – Amends existing law to provide certain deadlines for producing records pursuant to a public records request. Impact: Increases public records request response time from 10 days to 21 days for nonresidents of Idaho. Response time for Idaho residents remains unchanged at ten days.	House • Mar 20, 2024: Effective: 07/01/2024	Bill Text	Subjects Government Transparency Position Support