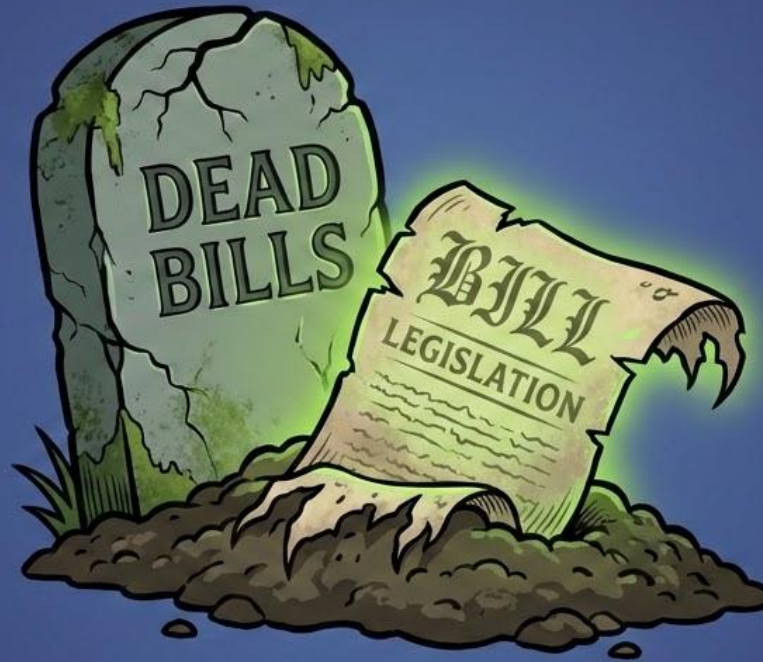




2026 Idaho Legislative Review

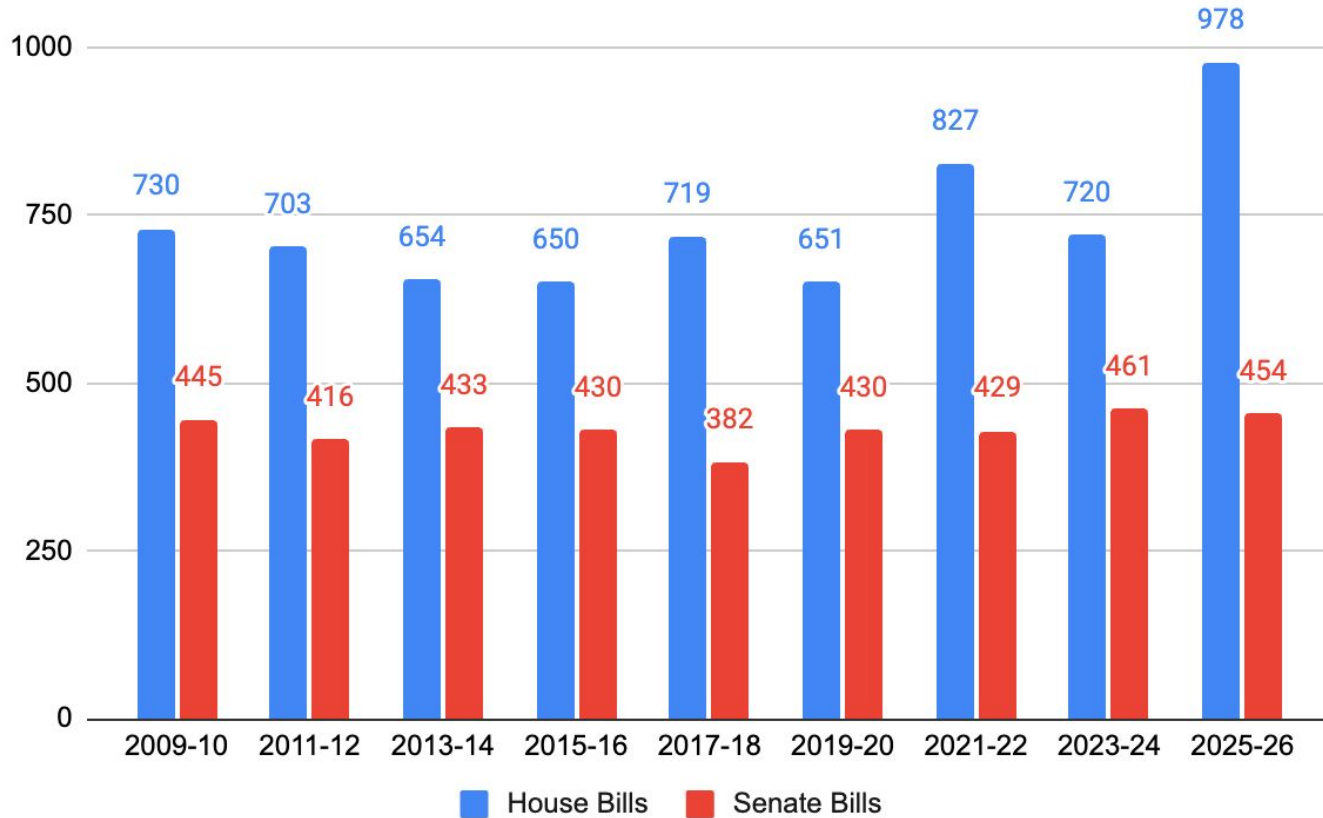


IAC Policy Staff



Zombie Legislation: Bills That Won't Die

Session Stats (by term)



Maintenance of Operation

Base Operating Budget

The core funding required for a state agency to maintain its current level of service.

Growth Metrics:

- Annual Population
- Inflation growth metrics

Budget Enhancement

Expanded Services

Funds for services not covered in the agency's base operating budget.

Requirement:

- Must be annually appropriated

Trailer Appropriation

Legislative Funding

Specifically used to fund a new state service created through the enactment of new legislation.

Context:

- Triggered by new policy shifts

S1331: SFY 2026 Budget Rescission Act

- 1% budget rescission (on top of Governor's 3% holdbacks)
- K-12, IDOC, and ISP exempt from cuts

SFY 2027 Budget (5% reduction of state base budgets)

- Makes permanent the Governor's 3% holdbacks
- Includes an additional 2% in permanent legislative budget cuts
- K-12, IDOC, and ISP exempt from cuts

House Bill 974

- Provides an additional \$6.5 million in ongoing dedicated funding to ISP for trooper recruitment and retention

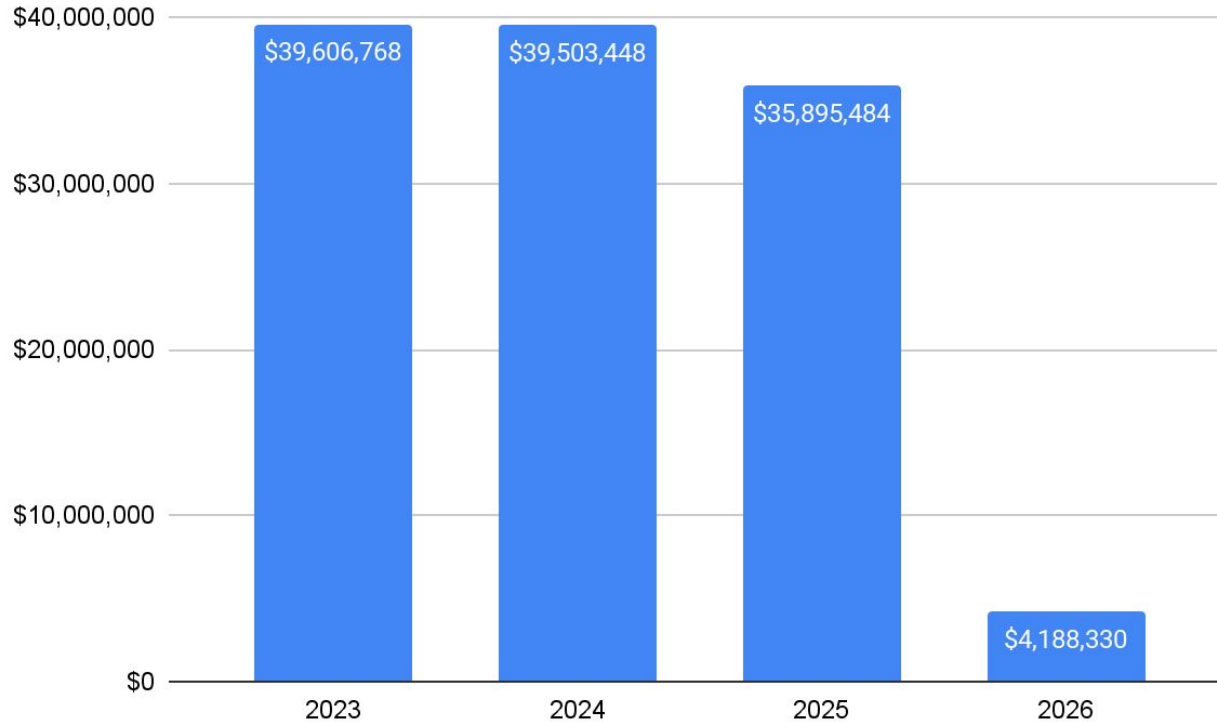
House Bill 976

- Provides \$12.8 million in state general funds for local road and bridge maintenance (\$110m appropriated in 2025, \$124m appropriated in 2024)
- \$4.2 million distributed to counties

Senate Bill 1446

- Restores budget cuts for programs that service the severely mentally ill (ACT, peer support, etc.)

SIL General Funding to Counties



H0532 Proving Identity

- Connects proof of identity for vehicle registration to requirements specified in 49-306.
- Connects proof of identity for vehicle titling requirements specified in 49-306.
- Creates uniformity regarding how identification is proven.

Effective Date: 07/01/2026

H0533 Vehicle Registration Sticker Elimination

- Revokes vehicle registration sticker requirement.
- These stickers will no longer sold at DMV offices.

Effective Date: 07/01/2026

H0555 Solid Waste Facility Regulation

- Streamlines & clarifies responsibilities of state Department of Environmental Quality (DEQ) health districts.
- Creates a robust public review process.
- Centralizes authority with Director of Idaho DEQ instead of having both health districts & DEQ share responsibilities, removing a layer of government.

H0555 Solid Waste Facility Regulation (Continued)

- Establishes new solid waste regulatory fund to manage fees & administrative costs to support additional regulatory responsibilities of department formerly carried out by public health districts.

H0555 Solid Waste Facility Regulation (Continued)

Solid Waste Regulatory Fund Fees:

- MSWLFs: \$4,000 annual inspection fee (due Oct. 31).
- Other Facilities: Annual inspection fee set by the director.
- Tonnage Fee: \$0.07/ton (due monthly) on waste disposed at Idaho MSWLFs or accepted at transfer stations for out-of-state disposal.
- Legislature will reevaluate fund sufficiency in 2030, and adjust if necessary.

Effective Date: 07/01/2026

[H0583](#) Short-Term Rentals (STRs)

IAC Position: Opposed

Limits regulations on STRs including the following:

- No registration or licensing requirement allowed.
- Basically no STR ordinance that treats STRs different from single-family homes.
- Only exceptions allowed are limited authority over basic health and safety standards specified in 67-6539(3).

Effective Date: 07/01/2026

H0585 Electrical, Plumbing, & HVAC Inspections

Adds three new sections to establish strict 48 hour timelines for government inspections of electrical, plumbing, & HVAC work.

- If inspections requested by permit holder not completed within 48 business hours, permit holder allowed to hire 3rd party inspector.
- If inspection is completed by 3rd party inspector, permit holder entitled to inspection refund from local government.
- If a local government inspector fails to notify permit holder of failed inspection within 3 business days, permit holder is entitled to 10% refund of fees.

07/01/2026

H0707 Land Divisions Administration Process

- Allows counties to establish an administrative process for land divisions that will not be subject to subdivision platting requirements for purpose of facilitating a mortgage or financing a division of land that contains an existing ADU or secondary residential structure if certain requirements are met.

07/01/2026

H0800 Manufactured Home Siting & Size

- Revises definition of manufactured home to include multi dwelling unit manufactured homes (39-4105).
- Clarifies for siting purposes that a single-family dwelling unit manufactured home may be sited on lots where single-family dwellings are allowed.
- Clarifies for siting purposes that multi-family dwelling unit manufactured homes may be sited only in areas where multifamily dwellings are allowed.
- Clarifies a manufactured home must be at least 400 sq ft for single-section or at least 800 sq ft for multisectional.

07/01/2026

H0721 Public School Building Plan Reviews

- Requires a local government performing a school building plan review for public works to complete the initial plan review within 30 calendar days of plan submission.
- Requires jurisdiction performing the public school building plan review to complete initial review within 30 calendar days of plan submission.

Effective Date: 07/01/2026

H0706 Single Stairway Building Option

- Gives local governments the option to allow a single stair case for buildings that are no higher than 6 stories and have no more than 4 units per story as long as other safety requirements are met.

07/01/2026

H0697 Elections Tampering

- Clarifies that illegal voting, tampering with an election, and/or tampering with a voting machine are felony offenses.

07/01/2026

H0560 Prospective Jurors Poll Worker Option

- If county clerk believes there will be a poll worker shortage for upcoming election, then potential jurors can be offered the option to work as a poll worker at upcoming election instead of serving on the jury.

Effective Date: 01/07/2026

H00561 Flags Flown by Governmental Entities

Disallows flying flags unless they are official flag of the following:

- American flag
- State flag
- City flag (if approved prior to January 1, 2023)
- County flag (if approved prior to January 1, 2023)
- Other countries flag if in recognition of cross-border relations
- Some other exceptions also included

March 31, 2026

[H0873](#) Uniform Dates & Deadlines Clean Up

IAC Position: Support

Cleans up 3 sections missed last year including the following:

- Soil & water conservation district elections moved to odd-year rotation
- BOCC canvas of elections changes from 10 days to 9 days after
- All mail ballot precincts ballot window changed from 24 days to 45 days prior to election
- Return date of all-mail ballot precincts changed from 14 to 11 days prior to election

Effective date: 07/01/2026

H0894 Open Meeting Recording & Photography Allowances

- Allows any member of public to record or photograph public meetings.
- Chair can take measures to ensure orderly conduct, but cannot have person removed for recording or photographing.
- Does not apply to executive sessions.

Effective Date: 07/01/2026

S1389 Polling Places Liability Protection of Property Owners

- Clarifies if private property used as polling place, property owner is not responsible for liability at the property during election.
- Clarifies if a property used as a polling place qualifies for a property tax exemption, the use will not affect the exemption status.

Effective Date: 07/01/2026

H0831 Election Day: In-person Instruction in Schools

IAC Position: Support

- Clarifies process in place to protect students from potential harm if a county needs to use public school building as a polling place.

Effective Date: January 1, 2028

H0492 Peace Officer Standards and Training Council

IAC Position: Support

- Adds a member from either the Idaho Association of Misdemeanor Probation Administrators or Idaho Association of Juvenile Probation Administrators.

07/01/2026

H0556 Reimbursement for Housing State Inmates in County Jails

IAC Position: IAC Priority

- Increases the reimbursement rate counties receive for housing state inmates.
- \$80/inmate/day

03/26/2026

[H0591](#) Indigent Eligibility

IAC Position: Support

- Repealed the last section of the indigent eligibility code.

07/01/2026

[H0684a](#) Costs for Recapture

IAC Position: Support

- Counties will be reimbursed for collecting a state prisoner, probationer, or parolee from out of state.

07/01/2026

S1250 Records Exempt from Disclosure - Decedents

IAC Position: Support

- Keeps photos and images of decedents exempt from disclosure.
- Next of kin may request the records.

07/01/2026

S1251 Attorney General Duties/Authority

IAC Position: None

- Allows for the Attorney General to seek declaratory and injunctive relief for any person who is or has violated the law.
- Stop gap for any law that doesn't have a violation/penalty provision.

07/01/2026

S1309 Priority of Payments - JCA

IAC Position: Support

- Adds clear direction for payments made on juvenile cases.

07/01/2026

S1314 IDHW/Regional Behavioral Health Boards

IAC Position: No Position

- Repeals the regional behavioral health boards and absorbs them into the IDHW regions.

07/01/2026

S1326a Property Rights

IAC Position: Oppose

- Ban the entering of property unless there is permission from the property owner.
- Exempts law enforcement officers, coroners, and surveyors.

03/26/2026

H621 - Guns in Courthouses

- Prohibit the county from banning guns in courthouses in areas that are not related to the courts.
- Would require additional staff, and equipment.

S1430 - Firearms Regulations

- Expands the AG's authority to investigate locals that may have provisions around firearms.
- Curing process.
- \$10,000 fine

03/26/2026

[H0659](#), [H0660](#), [S1247*](#), [S1441](#), [S1442](#)

- Would have mandated county sheriffs enter into MOUs with ICE for the federal 287(g) program and institute new state reporting requirements for arrested individuals.
- Would have been a financial burden to some counties and create undue liability.

H0620 - Boards of County Commissioners Federal Land Use Decision Making

- Establishes that a BOCC has special expertise
- Authorizes county commissioners to coordinate their officially adopted comprehensive plans with federal agencies
- Helps provide the counties with a seat at the table when it comes to federal land management decision-making

Effective Date: 03/17/2026

S1222 - Domestic Wells

- Serves as a clean up to clarify the implementation of water rights and domestic well usage with respect to land subdivisions
- Clarifies what water rights are required for a plat to be approved and strengthens the legal framework for county planners and developers
- P and Z departments likely need to update their review processes for subdivision plats

Effective Date: 02/17/2026

Constitutional Amendments Attempts: [SJR 103](#) & [HJR 10](#)

- SJR 103: Would have prohibited the sale of any lands acquired by the State from the federal government after July 1, 2026. Establishes a dedicated Public Lands Trust Fund to compensation to counties. Mandates the use best management practices
- HJR 10: Prioritizes revenue-generating activities (timber sales, mining, and grazing) and constitutionalised public access for recreation provided these activities do not interfere with primary revenue-generating operations. Requires that any sale of state lands be at or above the full appraised market value

H0594 - Late Fees & Interest

- Mandates the proportional distribution of late charges and interest to all taxing districts, ensuring each districts receive their equitable share of penalty revenue
- Updates monthly settlement procedures for tax collectors to ensure all collected penalties and interest are accurately accounted for and remitted to the appropriate jurisdictions

Effective Date: 07/01/2026

H0722 - Rate Regulated Utilities

- Requires county auditors to certify 2025 property tax levies for all rate-regulated utilities to establish a baseline for future revenue distribution
- Resolves the transition timing gap by making the new utility usage tax retroactive to January 1, 2026, ensuring continuous revenue flow as the state shifts away from property taxes on utilities

Effective Date: Retroactive to 01/01/2026

H0734 - Green Tax

- Standardizes the apportionment formula within counties including provisions to protect school districts without supplemental levies

Effective Date: Retroactive to 01/01/2026

H0843 - Homestead Exemption, Proration Elimination

- Eliminates the daily proration of the homestead exemption
- Simplifies administrative workloads for county assessors
- Standardizes the application deadline to the final business day of the year

Effective Date: Retroactive to 01/01/2026

H0895 - Data Centers, Water Consumption

- Prohibits new data centers from using water for cooling as a consumptive use unless the water is supplied by a municipal, water district, or water and sewer district system
- Safeguards regional water supplies by restricting the use of evaporative cooling systems in new developments
- Requires the Department of Water Resources to prioritize the protection of local economies and existing water rights

Effective Date: Retroactive to 07/01/2026

H0911- Utilities Large Load

- Establishes a no harm test to ensure that massive new electricity users, such as large-scale data centers, do not shift infrastructure costs or rate increases onto existing residential and business ratepayers
- Mandates that utilities secure PUC approval for specialized service contracts

Effective Date: 07/01/2026

H0926 - Community Infrastructure Districts

- Expands county authority to establish Community Infrastructure Districts (CIDs) in unincorporated areas outside of city comprehensive plan boundaries
- Equips counties with the same financing tools as cities through special assessments and advanced impact fee payments
- Facilitates the construction of regional infrastructure ahead of development

Effective Date: 07/01/2026

H0959 - EMS & Fire Budgets

- Increases the property tax growth cap for fire and ambulance districts from 8% to 15%
- Prohibits the future accumulation of foregone property tax and can now use prior year's levy rate
- Establishes a formal voter initiative process allowing residents to propose specific budget increases or reductions via a two-thirds majority vote.

Effective Date: 07/01/2026 *Section 2 of the bill is retroactive to 01/01/26

H0967 - Liquor Fund

- Redirects \$4 million annually from the state Liquor Account for recruitment and retention for the ISP
- Reduces the total pool of liquor revenue available for local distribution, resulting in an estimated collective decrease of \$870,000 in annual funding for counties

Effective Date: 07/01/2026