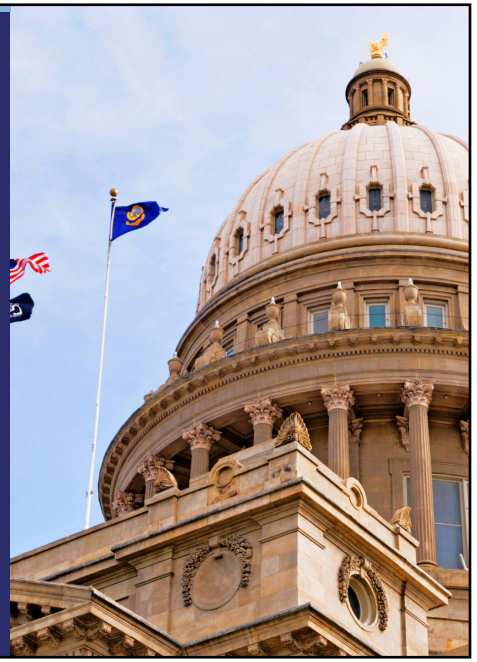
NEWLY ELECTED COUNTY OFFICIALS

County Public Safety and Emergency Management

Roles, duties, and Idaho Code authority for sheriffs, EMS, search and rescue, 911, and disaster response



OVERVIEW

What this session covers

01
The sheriff and law enforcement
Title 31, Chapter 22

02
Emergency communications (911)
Title 31, Chapter 48

03
Emergency medical services (EMS)
Title 31, Ch. 39 · Title 46, Ch. 9

04
Search and rescue
§31-2229 · §67-2913

05
Emergency management and preparedness
Title 46, Chapter 10

06
Declaring a local disaster emergency
§46-1011

THE BIG PICTURE

Who does what in county public safety?

Function	Who leads	Board of county commissioners (BOCC)	Idaho Code
Law enforcement and jail	Sheriff (elected)	Adopts the sheriff's budget, inspects jail	§31-2202, §31-2227
911 communications	County, 911 service area, or joint powers board	Creates the system; seeks voter approval; reviews the fee yearly	§31-4803 – 4806
Ambulance and EMS	County service, ambulance district, or licensed agency	Levies and collects taxes; endorses state EMS grants	§31-3901, §31-3916, §46-905
Search and rescue	Sheriff	Funds the sheriff's search and rescue budget, including any local equipment match	§31-2229, §67-2913
Disaster preparedness	County disaster agency or liaison officer	Appoints the liaison; chair reports to IOEM and declares emergencies	§46-1009, §46-1011

PUBLIC SAFETY · SHERIFF

The sheriff's statutory duties

A DUTY SHARED BY THE SHERIFF AND PROSECUTING ATTORNEY

"The primary duty of enforcing all the penal provisions of any and all statutes of this state, in any court, is vested in the sheriff and prosecuting attorney of each of the several counties."

§31-2227(1); see also §31-2202

THE SHERIFF'S DUTIES · §31-2202

Preserve the peace	(1)
Arrest offenders and bring them before a magistrate	(2)
Prevent and suppress riots and breaches of the peace	(3)
Attend court and obey its lawful orders	(4)
Keep the county jail and its prisoners	(6)
Serve and return process and notices	(7) – (9)
Work with Idaho State Police on highways and livestock laws	(13)
Promptly investigate missing children cases	(15)

PUBLIC SAFETY · ENFORCEMENT

Enforcing state criminal law

01

County first

Primary duty rests with the sheriff and prosecuting attorney of each county.

§31-2227(1)

02

Local help

They may call on city peace officers, who must render assistance.

§31-2227(1)

03

State help

When help isn't available in the county, they call on Idaho State Police.

§31-2227(2)

If laws go unenforced: the governor may direct Idaho State Police to act independently; the attorney general then assumes the prosecutor's duties.

§31-2227(3)

New sheriff transition: within three days of the recorder's certificate, the former sheriff delivers the jail, prisoners, and process in writing.

§31-2222 – 2224

PUBLIC SAFETY · 911

Emergency communications (911)

$1.00
Max monthly 911 fee per line
§31-4804(1)

60%
Voter approval for the 911 fee
§31-4803(2)

25¢
Monthly grant fee per line
§31-4819(1)

Local 911 fee and system

BOCC may create a regional, countywide, or partial system §31-4803(1)

BOCC reviews and sets the fee yearly, based on the 911 budget §31-4803(7)

Revenue is restricted to 911 and independently audited §31-4804(1)

A joint powers board or administrator may run the system §31-4805 – 4806

Enhanced 911 grant fee

Adopted by majority vote of the BOCC or a 911 service area board §31-4819(1)(a)

Remitted quarterly to the Idaho Emergency Communications Fund §31-4818(1), §31-4819(1)(b)

The Idaho Public Safety Communications Commission awards grants to consolidated 911 systems, including NG911 §31-4819(1)(b), (2)

To qualify, collect both fees in full; the county then keeps its entire 911 fee §31-4819(3) – (4)

EMERGENCY MEDICAL SERVICES

EMS: the state framework

> “The provision of emergency medical services is a government function.” §46-905(3)

Who regulates

The Idaho Bureau of Emergency Medical Services, part of the Idaho Military Division, licenses personnel and agencies.

§46-903(10), §46-904

Agency minimums

Two crew members per transport, 24-hour dispatch and response, and annual inspection.

§46-910(1)

Time sensitive care

A voluntary statewide system of care for trauma, stroke, and heart attack.

§46-914 – 922

EMERGENCY MEDICAL SERVICES · COUNTY OPTIONS

How counties provide ambulance service

OPTION A · LEGACY

County ambulance service

§31-3901 – 3907

BOCC decides how the service is operated
§31-3903

Levy up to 0.02 percent of market value
§31-3901(1)

BOCC sets fees, paid into an ambulance fund
§31-3902, §31-3904

Only counties operating before July 1, 2020
§31-3901(2)

OPTION B · NEW SINCE 2020

Ambulance service district

§31-3911 – 3922

Petition of 50 qualified electors, with a map
§31-3911(1)

Cities inside must consent by resolution
§31-3911(2)

Levy 0.04 percent; 0.06 with two-thirds vote
§31-3915

County levies, collects, and remits the tax
§31-3916 – 3917

SEARCH AND RESCUE

Search and rescue: the sheriff commands

The sheriff commands all search and rescue operations in the county and keeps a current search and rescue plan.

§31-2229(2)

Search: locating an overdue, missing, or lost person
§31-2229(1)(c)

Rescue: recovering people in imminent danger
§31-2229(1)(b)

Aircraft: ITD Aeronautics runs the air search; the sheriff, the ground
§31-2229(3)

Exceptions: cities or fire districts that provide it; licensed EMS at a known location
§31-2229(4) – (6)

Registry: IOEM keeps a statewide register of search and rescue units
§46-1006(6)(g)

SEARCH AND RESCUE · FUNDING

The state search and rescue fund

Idaho State Police administers the fund and reimburses sheriffs' offices for search and rescue costs.

$8,000
Maximum cost reimbursement per mission
§67-2913(1)

$8,000+
Catastrophic search costs, claimed quarterly
§67-2913(4)

$2,000
Equipment match per unit per year; state pays 65 percent
§67-2913(2)

$2,000
Training per exercise
§67-2913(3)

Snowmobile search and rescue fund: a separate fund covers sheriff operations to assist or recover snowmobile riders.

§67-2913A

Refusing to evacuate: a person who stays despite an evacuation order must reimburse the cost of a rescue.
§46-1008A (2025)

EMERGENCY MANAGEMENT · IDAHO DISASTER PREPAREDNESS ACT

The state disaster plan rests on “the principle of self-help at each level of government.”

§46-1006(2)

The Idaho Office of Emergency Management (IOEM) sits within the Military Division.

§46-1004

State policy: prevent, prepare for, respond to, and recover from disasters.

§46-1003

IOEM sets standards for local plans, reviews them, and supports training.

§46-1006(6)

EMERGENCY MANAGEMENT · COUNTY DUTIES

What state law requires of every county

1	Maintain a disaster agency, join an intergovernmental agency, or have the BOCC appoint a liaison officer	§46-1009(2)
2	The commission chair notifies IOEM how the county provides disaster services, and who leads them	§46-1009(3)
3	Prepare and keep current a local disaster emergency plan	§46-1009(4)
4	Distribute a written statement of every official’s emergency duties and the disaster chain of command	§46-1009(5)

Mutual aid: IOEM checks whether local plans provide for giving and receiving mutual aid. §46-1014(2)

DISASTER DECLARATIONS · §46-1011

Declaring a local disaster emergency

WHO

Chair of the BOCC

Only a mayor or the chair of the BOCC, within their own jurisdiction.

§46-1011(1)

HOW LONG

Seven days

No longer unless continued or renewed with the BOCC's consent.

§46-1011(1)

NOTICE

Publicize and file

Give prompt, general publicity and file promptly with the county recorder.

§46-1011(1)

EFFECT

Plans activate

Activates local response and recovery plans and authorizes aid under them.

§46-1011(2)

Note: an intergovernmental agency may not declare unless its agreement expressly authorizes it. §46-1011(3)

DISASTER DECLARATIONS · IN PRACTICE

A declaration, step by step

1	**Chair signs the declaration** Good practice: state the disaster, area, and conditions (see §46-1008(2))	§46-1011(1)
2	**Publicize it and file with the county recorder** Prompt, general publicity for declaring, continuing, or ending it	§46-1011(1)
3	**Plans and aid activate** Local plans take effect; call on mutual aid partners as needed	§46-1011(2), §46-1014
4	**BOCC acts to extend past seven days** Continuation or renewal requires the BOCC's consent	§46-1011(1)
5	**State steps in when local resources fall short** Governor may declare a state disaster emergency: 30 days, renewable	§46-1002(3), §46-1008(2)

EMERGENCY MANAGEMENT · SUPPORT

Mutual aid, liability, and funding

Mutual aid

IOEM helps counties arrange mutual aid; interstate compacts, including EMAC, extend it.

§46-1014, §46-1018, §46-1018A

Immunity

Counties, and staff absent willful misconduct, aren't liable for authorized emergency work.

§46-1017

Federal pass-through

At least 34 percent of eligible FEMA funds go to local agencies; not an entitlement.

§46-1025(2) – (3)

Annual grant summary

IOEM sends all 44 commission chairs a yearly summary of FEMA grants.

§46-1025(1)

GETTING STARTED

Your first 100 days: a checklist

- [ ] Meet your sheriff and your emergency manager or liaison officer
  §46-1009(2)
- [ ] Review the local disaster plan and your role in the chain of command
  §46-1009(4) – (5)
- [ ] Learn how EMS is delivered and funded in your county
  Title 31, Ch. 39 · §46-905
- [ ] Confirm the emergency lead IOEM has on file for your county
  §46-1009(3)
- [ ] Ask the sheriff for a briefing on the county's current search and rescue plan
  §31-2229(2)(b)
- [ ] Keep a draft local disaster declaration ready for the chair
  §46-1011

RESOURCES

Quick reference: Idaho Code

Topic	Citation
Sheriff duties and enforcement	Title 31, Ch. 22
Search and rescue command	§31-2229
Search and rescue funds	§67-2913, §67-2913A
Emergency Communications Act (911)	Title 31, Ch. 48
County ambulance service and districts	Title 31, Ch. 39
Emergency Medical Services Act	Title 46, Ch. 9
Idaho Disaster Preparedness Act	Title 46, Ch. 10
Local disaster emergency	§46-1011

Questions?

Idaho Association of Counties
208.345.9126
idcounties.org
Statutes: legislature.idaho.gov