

Moved by Lee

Seconded by Anthon

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1259

AMENDMENT TO SECTION 2

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2 On page 2 of the printed bill, in line 47, following "Code." insert: "Use  
3 of these funds shall be subject to the legislative appropriation process.".

AMENDMENT TO THE BILL

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5 On page 3, delete lines 7 through 9, and insert:  
6 "SECTION 3. That Sections 19-5116 and 41-406, Idaho Code, be, and the same  
7 are hereby repealed.

8 SECTION 4. That Chapter 51, Title 19, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 19-5116, Idaho Code, and to read as follows:

11 19-5116. PEACE OFFICERS STANDARDS AND TRAINING FUND. (a) There is  
12 hereby established in the state treasury the peace officers standards and  
13 training fund. All moneys deposited to the fund shall be expended by the  
14 peace officer standards and training council for the following purposes:

15 (1) Training peace officers, county detention officers, and self-spon-  
16 sored students within the state of Idaho, including, but not limited to,  
17 sheriffs and their deputies, officers of the Idaho state police, con-  
18 servation officers of the Idaho department of fish and game, emergency  
19 communications officers, and city and county prosecutors and their  
20 deputies;

21 (2) Salaries, costs and expenses relating to such training as provided  
22 in paragraph (1) of this subsection;

23 (3) Such capital expenditures as the peace officer standards and train-  
24 ing council may provide for the acquisition, construction and/or im-  
25 provement of a peace officer standards and training academy; and

26 (4) Such expenditures as may be necessary to aid approved peace offi-  
27 cers training programs or county detention officer programs certified  
28 as having met the standards established by the peace officer standards  
29 and training council.

30 (b) The peace officers standards and training fund shall be funded as  
31 provided in sections 31-3201A and 31-3201B, Idaho Code.

32 (c) All contributions and other moneys and appropriations designated  
33 for peace officers standards and training shall be deposited in the peace of-  
34 ficers standards and training fund.

35 (d) Moneys received into the fund as provided in subsection (c) of this  
36 section shall be accounted for separately.

1 (e) If the fiscal year-end balance in the fund pursuant to sec-  
2 tions 31-3201A and 31-3201B, Idaho Code, exceeds one million dollars  
3 (\$1,000,000), the excess shall revert to the general fund.

4 (f) Moneys received into the fund pursuant to the provisions of sec-  
5 tion 31-3201D, Idaho Code, shall be used for the purposes of providing basic  
6 training, continuing education and certification of misdemeanor probation  
7 officers, whether those officers are employees of or by private sector con-  
8 tract with a county.

9 SECTION 5. That Chapter 4, Title 41, Idaho Code, be, and the same is hereby  
10 amended by the addition thereto of a NEW SECTION, to be known and designated  
11 as Section 41-406, Idaho Code, and to read as follows:

12 41-406. DEPOSIT AND REPORT OF FEES, LICENSES AND TAXES. (1) The direc-  
13 tor shall transmit all taxes, fines and penalties collected by him to the  
14 state treasurer as provided under section 59-1014, Idaho Code. The director  
15 shall file with the state controller a statement of each deposit thus made.  
16 All such funds received shall be deposited into the department of insurance  
17 suspense account.

18 Such funds shall be distributed as follows:

19 (a) The director may deposit up to twenty percent (20%) of the funds  
20 received in the insurance refund account which is hereby created for  
21 the purpose of repaying overpayments of any taxes, fines, and penalties  
22 or other erroneous receipts. There is hereby appropriated out of the  
23 insurance refund account so much thereof as shall be necessary for the  
24 payment of refunds. Any unencumbered balance remaining in the insur-  
25 ance refund account on June 30 of each and every year in excess of forty  
26 thousand dollars (\$40,000) shall be transferred to the general fund and  
27 the state controller is hereby authorized and directed on such dates to  
28 make such transfers unless the board of examiners, which is hereby au-  
29 thorized to do so, changes the date of transfer or sum to be transferred.

30 (b) That portion of the premium tax, payable to the public employee re-  
31 tirement fund as provided in section 59-1394, Idaho Code, shall be dis-  
32 tributed to that fund.

33 (c) That portion of the premium tax necessary to cover administrative  
34 costs incurred by the department in placing insurance companies or any  
35 other insurance entities into receivership or under administrative su-  
36 pervision, and such costs cannot be satisfied from the assets of these  
37 companies or entities, shall be distributed to the insurance insolvency  
38 administrative fund which is hereby created. There is hereby appro-  
39 priated out of the insurance insolvency administrative fund so much  
40 thereof as shall be necessary, but not to exceed two hundred thousand  
41 dollars (\$200,000) in any one (1) fiscal year, for the payment of the  
42 department's administrative expenses incurred in carrying out such re-  
43 ceiverships or supervision. A balance of one hundred thousand dollars  
44 (\$100,000) shall be maintained in this fund on June 30 of each year.

45 (d) After all other deductions authorized in this section have been  
46 made, if the premium tax remaining exceeds forty-five million dollars  
47 (\$45,000,000), one-fourth (1/4) of such excess is hereby appropriated

1 and shall be paid to the Idaho individual high risk reinsurance pool  
2 established in chapter 55, title 41, Idaho Code.

3 (e) The balance of the premium tax, fines and penalties shall be dis-  
4 tributed to the general fund of the state of Idaho.

5 (f) All moneys received for fees, licenses and miscellaneous charges  
6 collected shall be distributed to the insurance administrative ac-  
7 count.

8 (2) The director shall make and file with the state controller an item-  
9 ized statement of the fees, licenses, taxes, fines and penalties collected  
10 by him during the preceding month.

11 SECTION 6. An emergency existing therefor, which emergency is hereby de-  
12 clared to exist, Sections 1 and 2 of this act shall be in full force and effect  
13 on and after passage and approval. Sections 3, 4 and 5 of this act shall be in  
14 full force and effect on and after July 1, 2020."

15 CORRECTION TO TITLE

16 On page 1, in line 6, delete "AND DECLARING AN EMERGENCY" and insert:  
17 "REPEALING SECTION 19-5116, IDAHO CODE, RELATING TO THE PEACE OFFICERS STAN-  
18 DARDS AND TRAINING FUND AND REPEALING SECTION 41-406, IDAHO CODE, RELATING  
19 TO THE DEPOSIT AND REPORT OF FEES, LICENSES AND TAXES; AMENDING CHAPTER 19,  
20 TITLE 51, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-5116, IDAHO CODE,  
21 TO ESTABLISH THE PEACE OFFICERS STANDARDS AND TRAINING FUND, TO PROVIDE FOR  
22 HOW MONEYS SHALL BE EXPENDED, DEPOSITED AND ACCOUNTED FOR AND TO PROVIDE THAT  
23 CERTAIN MONEYS SHALL REVERT TO THE GENERAL FUND; AMENDING CHAPTER 4, TITLE  
24 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-406, IDAHO CODE, TO PRO-  
25 VIDE THAT THE DIRECTOR SHALL TRANSMIT CERTAIN TAXES, FINES AND PENALTIES, TO  
26 PROVIDE THAT THE DIRECTOR SHALL FILE CERTAIN STATEMENTS AND TO PROVIDE FOR  
27 HOW CERTAIN FUNDS ARE DEPOSITED AND DISTRIBUTED; AND DECLARING AN EMERGENCY  
28 AND PROVIDING AN EFFECTIVE DATE".