

Legislative History Research on the Idaho Legislature's website

If you need to research the legislative history of a recent law, that is becoming easier to do for yourself from the convenience of your computer. The legislative history of a law comes into play when the wording of a statute is ambiguous or silent on some point and the court may look to the intent of the legislature in interpreting a statute. To do this, go to the Idaho Legislature's web site:

www.legislature.idaho.gov

Idaho State Legislature

LEGISLATURE HOME
IDAHO.GOV

LEGISLATIVE COUNCIL LEGISLATIVE SERVICES OFFICE LEGISLATIVE LIBRARY PUBLICATIONS RELATED LINKS PERFORMANCE EVALUATIONS

BUDGET & POLICY ANALYSIS LEGISLATIVE AUDITS LOCAL GOVERNING ENTITY CURRENT & PRIOR SESSIONS BILL TRACKER MEDIA ARCHIVE

Idaho's Citizen Legislature

The Idaho Legislature is responsible for translating the public will into policy for the state, levying taxes, appropriating public funds, and overseeing the administration of state agencies. These responsibilities are carried out through the legislative process – laws passed by elected representatives of the people, legislators. Since statehood in 1890, Idaho's legislators have enjoyed a rich and successful history of charting the state's growth. Much of that success can be attributed to the fact that Idaho's legislators are "citizen" legislators, not career politicians. They are farmers and ranchers, business men and women, lawyers, doctors, sales people, loggers, teachers. Elected for two-year terms and in session at the Capitol about three months each year, Idaho's "citizen" legislators maintain close ties to their communities and a keen interest in the concerns of the electorate.

Senate **House** **Committees**

Legislators **2017 Session** **2016 Interim**

Idaho Laws / Rules **Capitol Services** **Redistricting**

CALENDAR

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March 23:
■ Senate convenes at 10:30 a.m.
■ House convenes at 10:00 a.m.

Committees Daily Meeting Summary
Senate Reading Calendar House Reading Calendar

Interim Meetings
Change in Employee Compensation Committee
Thu., Jan. 7 1:30 P.M.
Change in Employee Compensation Committee
Thu., Jan. 7 9:00 A.M.

Legislative Council
Fri., Nov. 6 8:15 A.M.

Legislative Council
Tue., May. 19 Meeting Date/Time are Subject to Length of Extraordinary Session

Go to the particular statute you want to research and find the history line at the end of the statute. The history line will tell you when a statute was added, and will also show you every time the statute has been amended. If the statute was added or amended in 2003 or more recently, you will be able to pull up the statute's legislative history on the web site (anything older and you have to hit the books in the Legislative Library in the Capitol).

Idaho Statutes

TITLE 49 MOTOR VEHICLES

CHAPTER 14 TRAFFIC -- ENFORCEMENT AND GENERAL PROVISIONS

49-1401A. TEXTING WHILE DRIVING. (1) As used in this section, "texting" means engaging in the review of, or manual preparation and transmission of, written communications via handheld wireless devices. This definition does not include voice-operated or hands free devices that allow the user to review, prepare and transmit a text message without the use of either hand except to activate, deactivate or initiate a feature or function.

(2) Texting, as that term is defined in subsection (1) of this section, while driving a moving motor vehicle shall constitute an infraction provided this does not apply to voice-operated or hands free devices that allow the user to review, prepare and transmit a text message without the use of either hand except to activate, deactivate or initiate a feature or function. Every person who violates this section shall be guilty of an infraction. A conviction under this section shall not result in violation point counts as prescribed in section 49-326, Idaho Code. In addition, a conviction under this section shall not be deemed to be a moving traffic violation for the purpose of establishing rates of motor vehicle insurance charged by a casualty insurer.

History:

[49-1401A, added 2012, ch. 301, sec. 1, p. 824.]

Take, for example, this law prohibiting texting while driving, which was passed in 2012. The first step is to figure out which bill was behind this session law. To do that, go to the portfolio item Idaho Laws / Rules, select Session Laws and choose the year, and look up the chapter number (in this case, Ch. 301). An alternative way to find a bill's number is to look up the statute's citation under the "Code Sections Affected" index under the session.

Idaho State Legislature

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Senate | **House** | **Committees**

Legislators | **2017 Session** | **2016 Interim**

Idaho Laws / Rules | **Capitol Services** | **Redistricting**

CALENDAR

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March 2nd:

- Senate convenes at 10:30 a.m.
- House convenes at 10:00 a.m.

Committees Daily Meeting Summary
Senate Reading Calendar House Reading Calendar

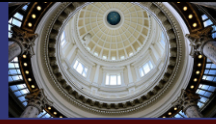
Interim Meetings

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Idaho Laws & Rules

[Idaho Statutes](#)

[Idaho Constitution](#)

[Session Laws](#)

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Volume 2 (Chapters 242 – 346 Regular Session and Chapter 1 – Extraordinary Session)

2014

Volume 1 (Chapters 1 – 191)

Volume 2 (Chapters 292 – 357)

2013

Volume 1 (Chapters 1 – 250)

Volume 2 (Chapters 251 – 354)

2012

Volume 1 (Chapters 1 – 192)

Volume 2 (Chapters 193 – 342)

2011

Volume 1 (Chapters 1 – 191)

Volume 2 (Chapters 192 – 335)

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

Approved April 5, 2012.

CHAPTER 301

(S.B. No. 1274, As Amended in the House)

AN ACT

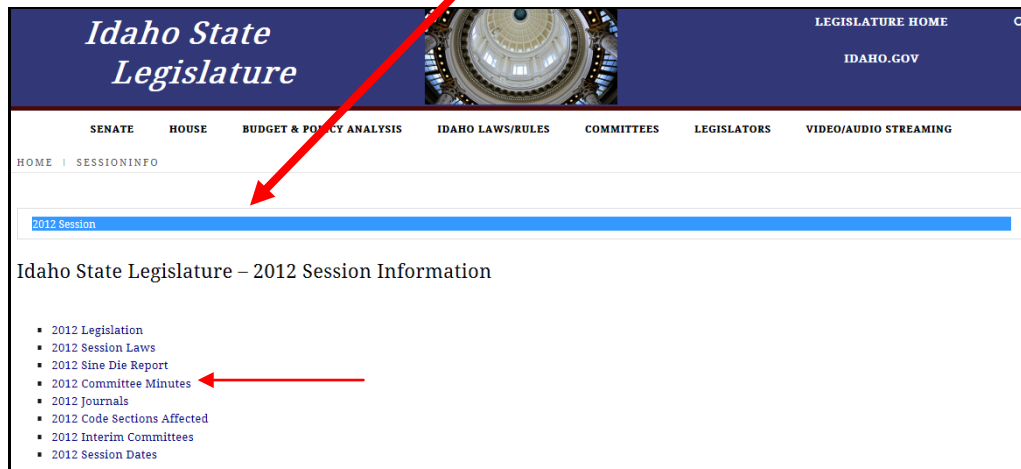
RELATING TO TEXTING AND DRIVING; AMENDING CHAPTER 14, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE INFRACTION PENALTIES FOR TEXTING WHILE DRIVING AND TO PROVIDE APPLICATION TO VIOLATION POINT COUNTS AND MOVING TRAFFIC VIOLATIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 14, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-1401A, Idaho Code, and to read as follows:

49-1401A. TEXTING WHILE DRIVING. (1) As used in this section, "texting" means engaging in the review of, or manual preparation and transmission of, written communications via handheld wireless devices. This definition does not include voice-operated or hands free devices that allow the

Directly beneath the Chapter number in the Session Laws will be the bill number. Now we know that we are researching 2012 Senate Bill 1274, and using this number, we can find the bill's Statement of Purpose, voting history, and House and Senate committee discussion. To do this, go back to the Legislature Home page and select Current & Prior Sessions menu option, select the appropriate year then, choose Committee Minutes, and then click on the "Committee Minutes Index" link near the top. Once the index opens up, scroll down and find your bill number:



2012 Committee Minutes Index		
<ul style="list-style-type: none"> House Bills House Resolutions, Proclamations & Memorials Senate Bills Senate Resolutions, Proclamations & Memorials Legislation Discussed in Committee but not Introduced Rules Review Gubernatorial Appointments Presentations & Rules Review <ul style="list-style-type: none"> House Committees Senate Committees 		
House Bills		
H0331	RS24031	House State Affairs 1-13, 1-28; Senate State Affairs 3-18
H0332	RS23989	House Health & Welfare 1-15, 1-26; Senate Commerce & Human Resources 3-1
H0333	RS23997	House Health & Welfare 1-15, 1-26; Senate Commerce & Human Resources 3-1

When you come to the bill number, you can click on the bill number itself to get a copy of the bill, the voting record, and its Statement of Purpose. Alternatively, you can click on the links to the committee hearing minutes in which they discussed this bill.

S1274	RS20993	Senate Transportation 1-31 , 2-9 , 2-14 ; House Transportation & Defense 2-28
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S 1274:

Senator Hammond presented **S 1274**. He said this bill creates an infraction when texting while driving. In 2002 the average number of texts was one million; in 2008 that number rose to one hundred and ten million. In 2010 there were one hundred and ninety-six billion texts. Texting causes 16,141 deaths per year, and an additional 6,000 to 10,000 injuries each year. Seventy-three percent of teens text while driving. He went on to say there are three types of distractions: manual, visual and cognitive. Texting uses all three of these: hands, eyes and mind. When texting, you are twenty-three times more likely to get involved in a crash. This bill will allow law enforcement to issue citations and provide motivation to drive safely. Sen. Hammond stated that the bill did not violate personal freedom, but it protects citizens.

Senator Lodge presented the proposed change to **S 1274**, which deletes the exemption of law enforcement from the texting ban. Senator Lodge introduced **Shauna Sauer** who spoke in support of **S 1274**. Mrs. Sauer is the mother of Taylor Sauer, who lost her life on January 14, 2012, while driving home from college on I-84. Taylor was on Facebook while driving and slammed into a truck trailer. Mrs. Sauer said the world cannot stop media addiction and technology, but one more life saved would be enough reason to pass this bill. Mrs. Sauer's eleven year old daughter also spoke of the pain of losing her best friend.

Erik Makrush and **Wayne Hoffman**, Idaho Freedom Foundation, and **Michelle Audette**, A Brotherhood Against Totalitarian Enactments, (ABATE) of Southern Idaho spoke in opposition to **S 1274**. The main opposition to this bill is: Idaho already has laws on inattentive driving, punishable with a misdemeanor. They argued that there were other activities that are just as distracting such as: reading a book, changing the radio station, using Global Positioning System, (GPS), putting on make-up, and talking on a hand held device. This bill defines texting as "engaging in review of, or manual preparation and transmission of written comment." The bill does not address reviewing social networks or playing games on a handheld devices. They said that the answer is to educate the public on the consequences of inattentive driving and to hold people responsible for their actions. They also said they believe the law would violate personal liberties.

In this way, you can find the discussion of the law when it was being presented to the House and Senate committees. One caveat is that the minutes online is strictly that: the minutes. They may or may not include any attachments such as prepared written statements, letters from constituents, presentations or the like, which may possibly be attached to the original paper minutes maintained in the Legislative Library. (Wondering if a bill you are researching online has attachments? Call us and we will check for you!)

Up until 2013, the committee minutes are the closest you can come to finding discussion of a bill. Recordings of the committee hearings and the floor debates were not preserved until the 2013 legislative session. For 2013 or later, you may also be able to listen and/or watch a committee hearing or floor debate. These archives are available [here](#).



For more information, please contact library@lso.idaho.gov or call us at (208) 334-4822.



The Legislative Reference Library is located on the first floor of the Idaho Capitol building.