

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 559

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CRIMES AND PUNISHMENT; AMENDING SECTION 18-1353A, IDAHO CODE,
TO PROVIDE FOR CERTAIN TYPES OF THREATS, TO DEFINE A TERM, AND TO MAKE
TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 18-1353A, Idaho Code, be, and the same is hereby
amended to read as follows:

18-1353A. THREATS AGAINST STATE OFFICIALS OF THE EXECUTIVE, LEGISLA-
TIVE OR JUDICIAL BRANCH OR ELECTED OFFICIALS OF A COUNTY OR CITY. (1) Whoever
knowingly and willfully deposits for conveyance in the mail or for a deliv-
ery from any post office or by any letter carrier, or transmits electroni-
cally any letter, paper, writing, print, missive, ~~or~~ document, video or pho-
tographic image, or voice recording containing any threat to take the life
of or to inflict bodily harm upon any state elected official of the executive
or legislative branch, or any justice, judge or magistrate of the judicial
branch, or person appointed to fill the vacancy of a state-elected official
of the executive or legislative branch of the state of Idaho, or knowingly
and willfully otherwise makes any such threat against a state-elected offi-
cial of the executive or legislative branch, or any justice, judge or mag-
istrate of the judicial branch, or person appointed to fill the vacancy of a
state-elected official of the executive or legislative branch of the state
of Idaho, or upon any elected official of any county or city, is guilty of
a misdemeanor and upon conviction thereof shall be fined not to exceed one
thousand dollars (\$1,000) and shall be sentenced to not to exceed one (1)
year in the county jail. If such threat is made while the defendant exhibits
a firearm or other dangerous or deadly weapon, the defendant shall be guilty
of a felony. Upon a second or subsequent conviction of an offense under this
section, the defendant shall be guilty of a felony and shall be sentenced to a
term of not to exceed five (5) years in the state penitentiary.

(2) As used in this section, "transmit electronically" means to use any
device that provides transmission of messages, signals, facsimiles, video
or photographic images, voice recordings, or other communication between
persons.