

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Friday, February 25, 2022

TIME: Upon adjournment

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** Representative(s) Ehardt, Erickson, McCrostie, Scott

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Chaney called the meeting to order at 11:28 a.m.

H 625: **Rep. Troy** (5) presented **H 625** which pertains to the distribution of unsolicited material and adds to existing law to provide for the crime of distributing unsolicited sexual material. Rep. Troy explained how **H 625** originated in her district, saying the law school offers pro bono legal work and through that work discovered this is a significant problem and it needs to be addressed.

In response to committee questions about whether this legislation would apply to the breakup of pre-existing relationships, she explained that prosecutors helped write the language of this legislation. In cases of pre-existing relationships the court would have to make those determinations based on intent.

MOTION: **Rep. Kerby** made a motion to send **H 625** to the floor with a **DO PASS** recommendation.

Committee concerns were raised about the broadness of **H 625**, the potential criminalization of individuals, and yet the undeniable need of addressing this issue. How it would apply to pre-existing relationships that end was of a specific concern. Committee members would like to have input from the prosecutor's office on this legislation.

SUBSTITUTE MOTION: **Rep. Skaug** made a substitute motion to hold **H 625** in committee at the call of the chair.

UNANIMOUS CONSENT REQUEST: **Chairman Chaney** made a unanimous consent request to amend the substitute motion. There being no objection, the request was granted.

AMENDED SUBSTITUTE MOTION: **Rep. Skaug** made an amended substitute motion to hold **H 625** in committee until the next scheduled committee meeting on Tuesday, March 1, 2022. **Motion carried by voice vote.**

H 616: **Rep. Troy** presented **H 616** pertaining to corporate filings and amending existing law to establish provisions regarding certain private foundations and charitable trusts. Rep. Troy introduced **Kate Haas**, Kestrel Law, who explained that this legislation originated from problems that have occurred in other states. It's intention is to protect Idaho foundations and charitable trusts from elected officials using the power of the state to target private organizations.

MOTION: **Rep. Nash** made a motion to send **H 616** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Rep. Troy will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee the meeting adjourned at 11:54 a.m.

Representative Chaney
Chair

Andrea Blades
Secretary