

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 37

BY BERCH

AN ACT

1 RELATING TO COUNTIES; AMENDING SECTION 31-1001, IDAHO CODE, TO REVISE A PRO-  
2 VISION REGARDING COUNTY LEASES FOR COURTHOUSES, ROOMS, AND JAILS; AND  
3 DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.  
4

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

6 SECTION 1. That Section 31-1001, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 31-1001. ERECTION OF BUILDINGS -- FURNISHING OF OFFICES -- CONTRACTS  
9 -- LEASE OF PREMISES FOR COURTHOUSE OR JAIL -- BOOKS AND STATIONERY. (1) The  
10 board of county commissioners must cause to be erected or furnished a court-  
11 house and jail as may be necessary and must, when necessary, provide offices  
12 with necessary furniture for the sheriff, clerk of the district court, ex of-  
13 ficio auditor and recorder, county treasurer, prosecuting attorney, county  
14 assessor, and county surveyor and must draw warrants in payment of the same.

15 (2) The contract for the erection of any such buildings described in  
16 subsection (1) of this section must be awarded, after thirty (30) days' no-  
17 tice for proposals, to the lowest bidder who will give security for the com-  
18 pletion of the contract.

19 (3) A board of county commissioners may enter into a lease for court-  
20 house premises, rooms, and jail for any ~~period up to five (5) years.~~ The  
21 ~~board of county commissioners may enter into such a lease for a period, in its~~  
22 discretion, not to exceed thirty (30) years if the question has been approved  
23 by a simple majority of the electors voting at an election held pursuant to  
24 section 34-106, Idaho Code. The county commissioners may contract with re-  
25 sponsible parties for the leasing of a courthouse or jail or a combination of  
26 courthouse and jail, to be constructed upon premises owned by the county or  
27 otherwise. Said contract shall be awarded subject to the provisions of chap-  
28 ter 28, title 67, Idaho Code. Such a contract also may provide that, at the  
29 expiration of the term of the lease and upon full performance of such lease by  
30 the county, the said courthouse premises, rooms, and jail, or so much thereof  
31 as is leased, may become the property of the county.

32 (4) The board must also provide all necessary books of record for the  
33 county auditor and recorder, county treasurer, county assessor, tax collec-  
34 tor, clerk of the district court, and county surveyor; the books and sta-  
35 tionery for the use of the board; and so much as is necessary for the use of  
36 said county officers in the transaction of official business.

37 (5) Nothing in this section shall be construed as limiting or other-  
38 wise affecting a lease or other transaction between the Idaho health facili-  
39 ties authority and the board of county commissioners as provided in section  
40 31-836, Idaho Code.

1           SECTION 2. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after its  
3 passage and approval, and retroactively to January 1, 2023.