

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 218

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING CHAPTER 52, TI-  
2 TLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5233, IDAHO CODE,  
3 TO ESTABLISH PROVISIONS REGARDING EXPIRATION ON RULEMAKING AUTHORITY;  
4 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 52, Title 67, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 67-5233, Idaho Code, and to read as follows:

10 67-5233. EXPIRATION ON RULEMAKING AUTHORITY. Agencies possessing the  
11 statutory authority to promulgate rules that interpret, prescribe, imple-  
12 ment, or enforce a statute passed on or after July 1, 2025, shall have ten  
13 (10) years to promulgate all necessary rules and regulations related to such  
14 statute. After ten (10) years, the agency may only promulgate new rules and  
15 regulations related to the relevant statute after a substantive amendment  
16 to the section or chapter by the legislature or following the addition of a  
17 new statute that confers rulemaking authority, as long as the rulemaking is  
18 started within two (2) years of the amendment or new statute.

19 SECTION 2. An emergency existing therefor, which emergency is hereby  
20 declared to exist, this act shall be in full force and effect on and after  
21 July 1, 2025.