

IN THE SENATE

SENATE BILL NO. 1073

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO MUNICIPAL CORPORATIONS; AMENDING SECTION 50-344, IDAHO CODE, TO
REVISE PROVISIONS REGARDING SOLID WASTE COLLECTION SYSTEMS IN CITIES;
AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 50-344, Idaho Code, be, and the same is hereby
amended to read as follows:

50-344. SOLID WASTE DISPOSAL. (1) Cities shall have the power to main-
tain and operate solid waste collection systems. Such maintenance and oper-
ation may, ~~by exclusive or nonexclusive means,~~ be performed by:

(a) Employees, facilities, equipment and supplies engaged or acquired
by cities;

(b) Contracts, franchises or otherwise providing maintenance and oper-
ation performed by private persons;

(c) Contracts providing for maintenance and operation performed by an-
other unit of government;

(d) Contracts, franchises or otherwise for maintenance and operation
that may provide solid waste collection for all or geographic parts of a
city;

(e) Any combination of paragraphs (a), (b), (c), and (d) of this
subsection.

(2) Notwithstanding any city contract or franchise for solid waste col-
lection to the contrary, any person may contract with a solid waste collec-
tion provider of the person's choosing for the use of temporary, project-
specific solid waste collection containers.

~~(2) (3)~~ Upon a finding by the mayor or city manager for public safety or
necessary protection of public health and welfare and property, the provi-
sions of chapter 28, title 67, Idaho Code, shall not apply to solid waste col-
lection, as provided herein.

~~(3) (4)~~ Before entering into such contracts, franchises or otherwise, a
city may require such security for the performance thereof as it deems appro-
priate or may waive such undertaking.

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
July 1, 2025.