

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 120

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO COUNTY SHERIFFS; AMENDING SECTION 34-618, IDAHO CODE, TO PROVIDE  
2  
3 ADDITIONAL QUALIFICATIONS FOR COUNTY SHERIFFS AND TO PROVIDE AN EXCEP-  
4 TION.

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

6 SECTION 1. That Section 34-618, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 34-618. ELECTION OF COUNTY SHERIFFS -- QUALIFICATIONS. (1) At the gen-  
9 eral election, 1972, and every four (4) years thereafter, a sheriff shall be  
10 elected in every county.

11 (2) No person shall be elected to the office of sheriff unless he has at-  
12 tained the age of twenty-one (21) years at the time of election, is a citizen  
13 of the United States, ~~and~~ shall have resided within the county one (1) year  
14 next preceding his election and shall:

15 (a) Currently possess a basic certificate issued to peace officers or  
16 level I certificate issued to detention officers by the Idaho POST coun-  
17 cil or possess the substantial equivalent, as approved by the Idaho POST  
18 council, from any other jurisdiction; or

19 (b) Possess within the last ten (10) years a minimum of an intermediate  
20 certificate issued to peace officers or level II certificate issued to  
21 detention officers by the Idaho POST council or possess the substantial  
22 equivalent, as approved by the Idaho POST council, from any other juris-  
23 isdiction; or

24 (c) Be a retired peace officer or a retired county detention officer, as  
25 those terms are defined in chapter 58, title 19, Idaho Code, receiving  
26 full retirement benefits from a local, state or federal government re-  
27 retirement system after a minimum of twenty (20) years of service.

28 (3) Each candidate shall file his declaration of candidacy with the  
29 county clerk.

30 (4) Each candidate who files a declaration of candidacy shall at the  
31 same time pay a filing fee of forty dollars (\$40.00) which shall be deposited  
32 in the county treasury.

33 (5) Each person who has been elected to the office of sheriff for the  
34 first time shall complete a tutorial concerning current Idaho law and rules  
35 as prescribed by the Idaho peace officers standards and training academy,  
36 unless the person is already certified as a chief of police, peace officer  
37 or detention deputy in the state of Idaho, and shall attend the newly elected  
38 sheriffs' school sponsored by the Idaho sheriffs' association.

39 (6) The provisions of paragraphs (a) through (c) of subsection (2) of  
40 this section shall not apply to any person elected to the office of sheriff  
41 before the effective date of this act.