

IN THE SENATE

SENATE BILL NO. 1370, As Amended, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 67-412, IDAHO CODE, TO PROVIDE REQUIRE-  
3 MENTS RELATING TO DESIGNATING A QUALIFIED SUBSTITUTE WHEN A LEGISLATOR  
4 IS TEMPORARILY UNABLE TO PERFORM THE DUTIES OF OFFICE.  
5

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

7 SECTION 1. That Chapter 4, 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 67-412, Idaho Code, and to read as follows:

10 67-412. DESIGNATING QUALIFIED SUBSTITUTE WHEN LEGISLATOR TEMPORARILY  
11 UNABLE TO PERFORM DUTIES. (1) In the event that a legislator is temporarily  
12 unable to perform the duties of his or her office, the legislator may desig-  
13 nate a qualified person to succeed to the powers and duties, but not the of-  
14 fice, of the legislator until the incumbent legislator is able to resume per-  
15 formance of his duties or a vacancy occurs in the office. If a legislator ap-  
16 points a temporary successor, that person shall be designated or serve as a  
17 temporary substitute unless the person is qualified, under the Idaho consti-  
18 tution and statutes, to hold the office of the legislator to whose powers and  
19 duties the person is designated to succeed, which shall be verified by the  
20 legislator.

21 (2) In the event of an attack, as defined in section 67-415, Idaho Code,  
22 the provisions of the emergency interim legislative succession act shall ap-  
23 ply.