

IN THE SENATE

SENATE BILL NO. 1370, As Amended, 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.  
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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 office, the legislator may designate a  
13 qualified person to succeed to the powers and duties, but not the office, of  
14 the legislator until the incumbent legislator is able to resume performance  
15 of his duties or a vacancy occurs in the office. If a legislator appoints a  
16 temporary successor, that person shall be designated or serve as a temporary  
17 substitute only if the person is qualified, under the Idaho constitution and  
18 statutes, to hold the office of the legislator to whose powers and duties the  
19 person is designated to succeed, which shall be verified by the legislator.

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