

IN THE SENATE

SENATE BILL NO. 1020

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1
2 RELATING TO ELECTIONS; AMENDING SECTION 34-2127, IDAHO CODE, TO REVISE A
3 PROVISION REGARDING WHEN THE SUPREME COURT MUST RENDER A DECISION.

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

5 SECTION 1. That Section 34-2127, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 34-2127. APPEALS. (1) In primary election contests, the party against
8 whom judgment is rendered on cases filed in the district court may appeal to
9 the supreme court. The appeal must be taken within ten (10) days of the judg-
10 ment of the district court.

11 (2) The supreme court must give the primary contest appeal priority and
12 in no case may it render a decision more than ten (10) days after ~~the receipt~~
13 ~~of an appeal~~ oral argument or the conclusion of briefing if the case is sub-
14 mitted on the briefs.

15 (3) The supreme court may award attorney's fees if it finds the appeal
16 is frivolous and has no foundation in law or fact.