

IN THE SENATE

SENATE BILL NO. 1135

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO FIREARMS AND OTHER DEADLY WEAPONS; AMENDING SECTION 18-3302D,
2 IDAHO CODE, TO REVISE PROVISIONS REGARDING POSSESSION OF A FIREARM OR
3 OTHER DEADLY WEAPON ON SCHOOL GROUNDS AND TO PROVIDE THAT A SCHOOL BOARD
4 OF TRUSTEES SHALL ADOPT A CERTAIN POLICY; AMENDING SECTION 33-512,
5 IDAHO CODE, TO REVISE A PROVISION REGARDING A SCHOOL SAFETY PLAN; AND
6 AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE THAT CERTAIN RECORDS OF
7 SCHOOLS ARE EXEMPT FROM DISCLOSURE.
8

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

10 SECTION 1. That Section 18-3302D, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 18-3302D. POSSESSING WEAPONS OR FIREARMS ON SCHOOL PROPERTY.

13 (1) (a) It shall be unlawful and is a misdemeanor for any person to pos-
14 sess a firearm or other deadly or dangerous weapon while on the property
15 of a school or in those portions of any building, stadium or other struc-
16 ture on school grounds which, at the time of the violation, were being
17 used for an activity sponsored by or through a school in this state or
18 while riding school-provided transportation.

19 (b) The provisions of this section regarding the possession of a
20 firearm or other deadly or dangerous weapon on school property shall
21 also apply to students of schools while attending or participating in
22 any school-sponsored activity, program or event regardless of loca-
23 tion.

24 (2) Definitions. As used in this section:

25 (a) "Deadly or dangerous weapon" means any weapon as defined in 18
26 U.S.C. 930;

27 (b) "Firearm" means any firearm as defined in 18 U.S.C. 921;

28 (c) "Minor" means a person under the age of eighteen (18) years;

29 (d) "Possess" means to bring an object, or to cause it to be brought,
30 onto the property of a public or private elementary or secondary school,
31 or onto a vehicle being used for school-provided transportation, or to
32 exercise dominion and control over an object located anywhere on such
33 property or vehicle. For purposes of subsection (1) (b) of this section,
34 "possess" shall also mean to bring an object onto the site of a school-
35 sponsored activity, program or event, regardless of location, or to ex-
36 ercise dominion and control over an object located anywhere on such a
37 site;

38 (e) "School" means a private or public elementary or secondary school.

39 (3) Right to search students or minors. For purposes of enforcing the
40 provisions of this section, employees of a school district shall have the
41 right to search all students or minors, including their belongings and lock-
42 ers, that are reasonably believed to be in violation of the provisions of

1 this section, or applicable school rule or district policy, regarding the
2 possessing of a firearm or other deadly or dangerous weapon.

3 (4) The provisions of this section shall not apply to the following per-
4 sons:

5 (a) A peace officer;

6 (b) A qualified retired law enforcement officer licensed under section
7 18-3302H, Idaho Code;

8 (c) A person who lawfully possesses a firearm or deadly or dangerous
9 weapon as an appropriate part of a program, an event, activity or other
10 circumstance approved by the board of trustees or governing board;

11 (d) A person or persons complying with the provisions of section
12 19-202A, Idaho Code;

13 (e) Any adult over eighteen (18) years of age and not enrolled in a pub-
14 lic or private elementary or secondary school who has lawful possession
15 of a firearm or other deadly or dangerous weapon, secured and locked in
16 his vehicle in an unobtrusive, nonthreatening manner;

17 (f) A person who lawfully possesses a firearm or other deadly or danger-
18 ous weapon in a private vehicle while delivering minor children, stu-
19 dents or school employees to and from school or a school activity; or

20 (g) (i) Notwithstanding the provisions of section 18-3302C, Idaho
21 Code, a person or an employee of the school or school district who
22 is may be authorized to carry possess a firearm or other deadly
23 weapon while on the property of a school or portions of any build-
24 ing, stadium, or other structure on school grounds with the per-
25 mission of the board of trustees of the school district or the gov-
26 erning board- if the following requirements are met:

27 1. The person authorized is a paid employee of the school
28 district, charter district, or public charter school and
29 possesses an enhanced concealed carry permit pursuant to
30 section 18-3302K, Idaho Code;

31 2. The person authorized receives ongoing training as di-
32 rected by the board of trustees, in consultation with local
33 law enforcement, and as outlined in the district's school
34 policy manual;

35 3. The authorization to possess a firearm or other deadly
36 weapon is included as a part of the board's required safety
37 plan as outlined in section 33-512(16), Idaho Code; and

38 4. The person authorized works with local law enforcement
39 to ensure that local law enforcement is aware of the person
40 and that he possesses a current Idaho enhanced conceal carry
41 permit and is aware of the type of weapon and assignment of
42 the person.

43 (ii) Nothing in this paragraph shall prevent the board of trustees
44 or the governing board from revoking the privilege of persons car-
45 rying a firearm or other deadly weapon while on school property.
46 The school's safety plan, including identification of the indi-
47 viduals authorized to carry a firearm or other deadly weapon on
48 school property, shall remain exempt from public records disclo-
49 sure, including to parents and patrons of the school. Any school
50 district or charter school that permits a firearm or other deadly

1 weapon on school property shall not be subject to a heightened duty
 2 of safety to students, employees, or patrons on the school's prop-
 3 erty, and the school shall be immune from liability for the posses-
 4 sion of, use of, or failure to use any permitted weapon on school
 5 property. Nothing in this paragraph shall authorize a student at-
 6 tending a public school in this state to carry a firearm or other
 7 deadly weapon on school property, regardless of whether the stu-
 8 dent possesses an enhanced concealed carry permit.

9 (iii) In order to execute the provisions of subparagraph (i) of
 10 this paragraph, the board of trustees or the governing board shall
 11 adopt a policy in consultation with local law enforcement that
 12 outlines the following:

13 1. The annual training requirements outlined by the board of
 14 trustees or governing board for persons authorized to pos-
 15 sess a firearm or other deadly weapon on school property;

16 2. Required annual notification to the district superinten-
 17 dent, school principal, and local law enforcement naming the
 18 specific person authorized to carry, including notification
 19 of revocation by the board of the person's privileges;

20 3. Required annual notification to parents and guardians
 21 that the board of trustees or governing board has authorized
 22 a person to carry a firearm or other deadly weapon on school
 23 property, along with the training requirements. This notice
 24 shall be prohibited from disclosing the name or position of
 25 the person authorized and shall indicate that statute pro-
 26 hibits such notification to parents; and

27 4. That the policy adopted pursuant to this subsection is
 28 discussed when developing the required safety plan as pro-
 29 vided in section 33-512(16), Idaho Code.

30 (5) Penalties. Persons who are found guilty of violating the provi-
 31 sions of this section may be sentenced to a jail term of not more than one
 32 (1) year or fined an amount not in excess of one thousand dollars (\$1,000) or
 33 both. If a violator is a student and under the age of eighteen (18) years,
 34 the court may place the violator on probation and suspend the juvenile deten-
 35 tion or fine or both as long as the violator is enrolled in a program of study
 36 recognized by the court that, upon successful completion, will grant the vi-
 37 olator a general equivalency diploma (GED) or a high school diploma or other
 38 educational program authorized by the court. Upon successful completion of
 39 the terms imposed by the court, the court shall discharge the offender from
 40 serving the remainder of the sentence. If the violator does not complete, is
 41 suspended from, or otherwise withdraws from the program of study imposed by
 42 the court, the court, upon receiving such information, shall order the vio-
 43 lator to commence serving the sentence provided for in this section.

44 SECTION 2. That Section 33-512, Idaho Code, be, and the same is hereby
 45 amended to read as follows:

46 33-512. GOVERNANCE OF SCHOOLS. The board of trustees of each school
 47 district shall have the following powers and duties:

48 (1) To fix the days of the year and the hours of the day when schools
 49 shall be in session. However:

1 (a) Each school district shall annually adopt and implement a school
 2 calendar which provides its students at each grade level with the fol-
 3 lowing minimum number of instructional hours:

4	Grades	Hours
5	9-12	990
6	4-8	900
7	1-3	810
8	K	450
9	Alternative schools	
10	(any grades)	900

11 (b) School assemblies, testing and other instructionally related ac-
 12 tivities involving students directly may be included in the required
 13 instructional hours.

14 (c) When approved by a local school board, annual instructional hour
 15 requirements stated in paragraph (a) of this subsection may be reduced
 16 as follows:

17 (i) Up to a total of twenty-two (22) hours to accommodate staff
 18 development activities conducted on such days as the local school
 19 board deems appropriate.

20 (ii) Up to a total of eleven (11) hours of emergency school clo-
 21 sures due to adverse weather conditions and facility failures.

22 However, transportation to and from school, passing times between
 23 classes, recess and lunch periods shall not be included.

24 (d) Student and staff activities related to the opening and closing of
 25 the school year, grade reporting, program planning, staff meetings, and
 26 other classroom and building management activities shall not be counted
 27 as instructional time or in the reductions provided in paragraph (c) (i)
 28 of this subsection.

29 (e) For multiple shift programs, this rule applies to each shift (i.e.,
 30 each student must have access to the minimum annual required hours of
 31 instruction).

32 (f) The instructional time requirement for grade 12 students may be re-
 33 duced by action of a local school board for an amount of time not to ex-
 34 ceed eleven (11) hours of instructional time.

35 (g) The state superintendent of public instruction may grant an ex-
 36 emption from the provisions of this section for an individual building
 37 within a district, when the closure of that building, for unforeseen
 38 circumstances, does not affect the attendance of other buildings within
 39 the district.

40 (h) The state board of education may grant a waiver of the minimum
 41 number of instructional hours for a school district when districtwide
 42 school closures are necessary as a result of natural occurrences cre-
 43 ating unsafe conditions for students. A county or state disaster
 44 declaration must have been issued for one (1) or more of the counties
 45 in which the school district is located. A waiver request to the state
 46 board of education must describe the efforts by the school district to
 47 make up lost instructional hours, the range of grades impacted, and the
 48 number of hours the school district is requesting be waived.

- 1 (i) The reduction of instructional hours allowed in paragraphs (f)
2 through (h) of this subsection may not be combined in a single school
3 year.
- 4 (2) To adopt and carry on and to provide for the financing of a total ed-
5 ucational program for the district. Such programs in other than elementary
6 school districts may include education programs for out-of-school youth and
7 adults, and such districts may provide classes in kindergarten;
- 8 (3) To provide, or require pupils to be provided with, suitable text-
9 books and supplies, and for advice on textbook selections may appoint a cur-
10 rricular materials adoption committee as provided in section 33-512A, Idaho
11 Code;
- 12 (4) To protect the morals and health of the pupils;
- 13 (5) To exclude from school, children not of school age;
- 14 (6) To prescribe rules for the disciplining of unruly or insubordinate
15 pupils, including rules on student harassment, intimidation and bullying,
16 such rules to be included in a district discipline code adopted by the board
17 of trustees and a summarized version thereof to be provided in writing at the
18 beginning of each school year to the teachers and students in the district
19 in a manner consistent with the student's age, grade and level of academic
20 achievement;
- 21 (7) To exclude from school, pupils with contagious or infectious dis-
22 eases who are diagnosed or suspected as having a contagious or infectious
23 disease or those who are not immune and have been exposed to a contagious or
24 infectious disease; and to close school on order of the state board of health
25 and welfare or local health authorities;
- 26 (8) To equip and maintain a suitable library or libraries in the school
27 or schools and to exclude therefrom, and from the schools, all books, tracts,
28 papers, and catechisms of sectarian nature;
- 29 (9) To determine school holidays. Any listing of school holidays shall
30 include not less than the following: New Year's Day, Memorial Day, Indepen-
31 dence Day, Thanksgiving Day, and Christmas Day. Other days listed in section
32 73-108, Idaho Code, if the same shall fall on a school day, shall be observed
33 with appropriate ceremonies; and any days the state board of education may
34 designate, following the proclamation by the governor, shall be school holi-
35 days;
- 36 (10) To erect and maintain on each schoolhouse or school grounds a suit-
37 able flagstaff or flagpole, and display thereon the flag of the United States
38 of America on all days, except during inclement weather, when the school is
39 in session; and for each Veterans Day, each school in session shall conduct
40 and observe an appropriate program of at least one (1) class period remember-
41 ing and honoring American veterans;
- 42 (11) To prohibit entrance to each schoolhouse or school grounds, to pro-
43 hibit loitering in schoolhouses or on school grounds and to provide for the
44 removal from each schoolhouse or school grounds of any individual or indi-
45 viduals who disrupt the educational processes or whose presence is detrimen-
46 tal to the morals, health, safety, academic learning or discipline of the
47 pupils. A person who disrupts the educational process or whose presence is
48 detrimental to the morals, health, safety, academic learning or discipline
49 of the pupils or who loiters in schoolhouses or on school grounds, is guilty
50 of a misdemeanor;

1 (12) To supervise and regulate, including by contract with established
2 entities, those extracurricular activities which are by definition outside
3 of or in addition to the regular academic courses or curriculum of a public
4 school, and which extracurricular activities shall not be considered to be
5 a property, liberty or contract right of any student, and such extracurric-
6 ular activities shall not be deemed a necessary element of a public school
7 education, but shall be considered to be a privilege. For the purposes of
8 extracurricular activities, any secondary school located in this state that
9 is accredited by an organization approved through a process defined by the
10 state department of education shall be able to fully participate in all ex-
11 tracurricular activities described in and governed by the provisions of this
12 subsection;

13 (13) To govern the school district in compliance with state law and
14 rules of the state board of education;

15 (14) To submit to the superintendent of public instruction not later
16 than July 1 of each year documentation which meets the reporting require-
17 ments of the federal gun-free schools act of 1994 as contained within the
18 federal improving America's schools act of 1994;

19 (15) To require that all certificated and noncertificated employees
20 hired on or after July 1, 2008, and other individuals who are required by
21 the provisions of section 33-130, Idaho Code, to undergo a criminal history
22 check shall submit a completed ten (10) finger fingerprint card or scan to
23 the department of education no later than five (5) days following the first
24 day of employment or unsupervised contact with students in a K-12 setting,
25 whichever is sooner. Such employees and other individuals shall pay the cost
26 of the criminal history check. If the criminal history check shows that the
27 employee has been convicted of a felony crime enumerated in section 33-1208,
28 Idaho Code, it shall be grounds for immediate termination, dismissal or
29 other personnel action of the district, except that it shall be the right
30 of the school district to evaluate whether an individual convicted of one
31 of these crimes and having been incarcerated for that crime shall be hired.
32 Provided however, that any individual convicted of any felony offense listed
33 in section 33-1208(2), Idaho Code, shall not be hired. For the purposes of
34 criminal history checks, a substitute teacher is any individual who tem-
35 porarily replaces a certificated classroom educator and is paid a substitute
36 teacher wage for one (1) day or more during a school year. A substitute
37 teacher who has undergone a criminal history check at the request of one (1)
38 district in which he has been employed as a substitute shall not be required
39 to undergo an additional criminal history check at the request of any other
40 district in which he is employed as a substitute if the teacher has obtained
41 a criminal history check within the previous five (5) years. If the district
42 next employing the substitute still elects to require another criminal his-
43 tory check within the five (5) year period, that district shall pay the cost
44 of the criminal history check or reimburse the substitute teacher for such
45 cost. To remain on the statewide substitute teacher list maintained by the
46 state department of education, the substitute teacher shall undergo a crimi-
47 nal history check every five (5) years;

48 (16) To maintain a safe environment for students by developing a system
49 that cross-checks all contractors or other persons who have irregular con-
50 tact with students against the statewide sex offender registry and that pro-

1 vides for persons authorized to possess a firearm or other deadly weapon on
2 school property pursuant to section 18-3302D(4) (g), Idaho Code, by develop-
3 ing a school safety plan for each school and by meeting annually with emer-
4 gency first responders to update the plans and discuss emergency exercises
5 and operations;

6 (17) To provide support for teachers in their first two (2) years in the
7 profession in the areas of: administrative and supervisory support, mentor-
8 ing, peer assistance and professional development.

9 SECTION 3. That Section 74-106, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 74-106. RECORDS EXEMPT FROM DISCLOSURE -- PERSONNEL RECORDS, PER-
12 SONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following
13 records are exempt from disclosure:

14 (1) Except as provided in this subsection, all personnel records of
15 a current or former public official other than the public official's pub-
16 lic service or employment history, classification, pay grade and step,
17 longevity, gross salary and salary history, including bonuses, severance
18 packages, other compensation or vouchered and unvouchered expenses for
19 which reimbursement was paid, status, workplace and employing agency. All
20 other personnel information relating to a public employee or applicant
21 including, but not limited to, information regarding sex, race, marital
22 status, birth date, home address and telephone number, social security num-
23 ber, driver's license number, applications, testing and scoring materials,
24 grievances, correspondence and performance evaluations, shall not be dis-
25 closed to the public without the employee's or applicant's written consent.
26 Names of applicants to classified or merit system positions shall not be dis-
27 closed to the public without the applicant's written consent. Disclosure of
28 names as part of a background check is permitted. Names of the five (5) final
29 applicants to all other positions shall be available to the public. If such
30 group is less than five (5) finalists, then the entire list of applicants
31 shall be available to the public. A public official or authorized represen-
32 tative may inspect and copy his personnel records, except for material used
33 to screen and test for employment.

34 (2) Retired employees' and retired public officials' home addresses,
35 home telephone numbers and other financial and nonfinancial membership
36 records; active and inactive member financial and membership records and
37 mortgage portfolio loan documents maintained by the public employee retire-
38 ment system. Financial statements prepared by retirement system staff,
39 funding agents and custodians concerning the investment of assets of the
40 public employee retirement system of Idaho are not considered confidential
41 under this chapter.

42 (3) Information and records submitted to the Idaho state lottery for
43 the performance of background investigations of employees, lottery retail-
44 ers and major procurement contractors; audit records of lottery retailers,
45 vendors and major procurement contractors submitted to or performed by the
46 Idaho state lottery; validation and security tests of the state lottery for
47 lottery games; business records and information submitted pursuant to sec-
48 tions 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such docu-
49 ments and information obtained and held for the purposes of lottery security

1 and investigative action as determined by lottery rules unless the public
2 interest in disclosure substantially outweighs the private need for protec-
3 tion from public disclosure.

4 (4) Records of a personal nature as follows:

5 (a) Records of personal debt filed with a public agency or independent
6 public body corporate and politic pursuant to law;

7 (b) Personal bank records compiled by a public depositor for the pur-
8 pose of public funds transactions conducted pursuant to law;

9 (c) Records of ownership of financial obligations and instruments of a
10 public agency or independent public body corporate and politic, such as
11 bonds, compiled by the public agency or independent public body corpo-
12 rate and politic pursuant to law;

13 (d) Records, with regard to the ownership of, or security interests in,
14 registered public obligations;

15 (e) Vital statistics records;

16 (f) Military records as described in and pursuant to section 65-301,
17 Idaho Code;

18 (g) Social security numbers; and

19 (h) The following personal data identifiers for an individual may be
20 disclosed only in the following redacted format:

21 (i) The initials of any minor children of the individual;

22 (ii) A date of birth in substantially the following format:
23 "XX/XX/birth year";

24 (iii) The last four (4) digits of a financial account number in
25 substantially the following format: "XXXXX1234";

26 (iv) The last four (4) digits of a driver's license number or
27 state-issued personal identification card number in substan-
28 tially the following format: "XXXXX350F"; and

29 (v) The last four (4) digits of an employer identification number
30 or business's taxpayer identification number.

31 (5) Information in an income or other tax return measured by items of
32 income or sales, which is gathered by a public agency for the purpose of ad-
33 ministering the tax, except such information to the extent disclosed in a
34 written decision of the tax commission pursuant to a taxpayer protest of a
35 deficiency determination by the tax commission, under the provisions of sec-
36 tion 63-3045B, Idaho Code.

37 (6) Records of a personal nature related directly or indirectly to the
38 application for and provision of statutory services rendered to persons
39 applying for public care for people who are elderly, indigent or have mental
40 or physical disabilities, or participation in an environmental or a public
41 health study, provided the provisions of this subsection making records
42 exempt from disclosure shall not apply to the extent that such records or
43 information contained in those records are necessary for a background check
44 on an individual that is required by federal law regulating the sale of
45 firearms, guns or ammunition.

46 (7) Employment security information, except that a person may agree,
47 through written, informed consent, to waive the exemption so that a third
48 party may obtain information pertaining to the person, unless access to the
49 information by the person is restricted by subsection (3) (a), (3) (b) or
50 (3) (d) of section 74-113, Idaho Code. Notwithstanding the provisions of

1 section 74-113, Idaho Code, a person may not review identifying information
2 concerning an informant who reported to the department of labor a suspected
3 violation by the person of the employment security law, chapter 13, title 72,
4 Idaho Code, under an assurance of confidentiality. As used in this section
5 and in chapter 13, title 72, Idaho Code, "employment security information"
6 means any information descriptive of an identifiable person or persons that
7 is received by, recorded by, prepared by, furnished to or collected by the
8 department of labor or the industrial commission in the administration of
9 the employment security law.

10 (8) Any personal records, other than names, business addresses and
11 business phone numbers, such as parentage, race, religion, sex, height,
12 weight, tax identification and social security numbers, financial worth or
13 medical condition submitted to any public agency or independent public body
14 corporate and politic pursuant to a statutory requirement for licensing,
15 certification, permit or bonding.

16 (9) Unless otherwise provided by agency rule, information obtained as
17 part of an inquiry into a person's fitness to be granted or retain a license,
18 certificate, permit, privilege, commission or position, private associa-
19 tion peer review committee records authorized in title 54, Idaho Code. Any
20 agency that has records exempt from disclosure under the provisions of this
21 subsection shall annually make available a statistical summary of the number
22 and types of matters considered and their disposition.

23 (10) The records, findings, determinations and decisions of any prelit-
24 igation screening panel formed under chapters 10 and 23, title 6, Idaho Code.

25 (11) Complaints received by the board of medicine and investigations
26 and informal proceedings, including informal proceedings of any committee
27 of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and
28 rules adopted thereunder.

29 (12) Records of the department of health and welfare or a public health
30 district that identify a person infected with a reportable disease.

31 (13) Records of hospital care, medical records, including prescrip-
32 tions, drug orders, records or any other prescription information that
33 specifically identifies an individual patient, prescription records main-
34 tained by the board of pharmacy under sections 37-2726 and 37-2730A, Idaho
35 Code, records of psychiatric care or treatment and professional counseling
36 records relating to an individual's condition, diagnosis, care or treat-
37 ment, provided the provisions of this subsection making records exempt from
38 disclosure shall not apply to the extent that such records or information
39 contained in those records are necessary for a background check on an indi-
40 vidual that is required by federal law regulating the sale of firearms, guns
41 or ammunition.

42 (14) Information collected pursuant to the directory of new hires act,
43 chapter 16, title 72, Idaho Code.

44 (15) Personal information contained in motor vehicle and driver records
45 that is exempt from disclosure under the provisions of chapter 2, title 49,
46 Idaho Code.

47 (16) Records of the financial status of prisoners pursuant to subsec-
48 tion (2) of section 20-607, Idaho Code.

1 (17) Records of the Idaho state police or department of correction re-
2 ceived or maintained pursuant to section 19-5514, Idaho Code, relating to
3 DNA databases and databanks.

4 (18) Records of the department of health and welfare relating to a sur-
5 vey, resurvey or complaint investigation of a licensed nursing facility
6 shall be exempt from disclosure. Such records shall, however, be subject to
7 disclosure as public records as soon as the facility in question has received
8 the report, and no later than the fourteenth day following the date that de-
9 partment of health and welfare representatives officially exit the facility
10 pursuant to federal regulations. Provided however, that for purposes of
11 confidentiality, no record shall be released under this section that specif-
12 ically identifies any nursing facility resident.

13 (19) Records and information contained in the registry of immunizations
14 against childhood diseases maintained in the department of health and wel-
15 fare, including information disseminated to others from the registry by the
16 department of health and welfare.

17 (20) Records of the Idaho housing and finance association (IHFA) relat-
18 ing to the following:

19 (a) Records containing personal financial, family, health or similar
20 personal information submitted to or otherwise obtained by the IHFA;

21 (b) Records submitted to or otherwise obtained by the IHFA with regard
22 to obtaining and servicing mortgage loans and all records relating to
23 the review, approval or rejection by the IHFA of said loans;

24 (c) Mortgage portfolio loan documents;

25 (d) Records of a current or former employee other than the employee's
26 duration of employment with the association, position held and loca-
27 tion of employment. This exemption from disclosure does not include the
28 contracts of employment or any remuneration, including reimbursement
29 of expenses, of the executive director, executive officers or commis-
30 sioners of the association. All other personnel information relating
31 to an association employee or applicant including, but not limited to,
32 information regarding sex, race, marital status, birth date, home ad-
33 dress and telephone number, applications, testing and scoring materi-
34 als, grievances, correspondence, retirement plan information and per-
35 formance evaluations, shall not be disclosed to the public without the
36 employee's or applicant's written consent. An employee or authorized
37 representative may inspect and copy that employee's personnel records,
38 except for material used to screen and test for employment or material
39 not subject to disclosure elsewhere in the Idaho public records act.

40 (21) Records of the department of health and welfare related to child
41 support services in cases in which there is reasonable evidence of domestic
42 violence, as defined in chapter 63, title 39, Idaho Code, that can be used
43 to locate any individuals in the child support case except in response to a
44 court order.

45 (22) Records of the Idaho state bar lawyer assistance program pursuant
46 to chapter 49, title 54, Idaho Code, unless a participant in the program au-
47 thORIZES the release pursuant to subsection (4) of section 54-4901, Idaho
48 Code.

1 (23) Records and information contained in the time sensitive emergency
2 registry created by chapter 20, title 57, Idaho Code, together with any re-
3 ports, analyses and compilations created from such information and records.

4 (24) Records contained in the court files, or other records prepared as
5 part of proceedings for judicial authorization of sterilization procedures
6 pursuant to chapter 39, title 39, Idaho Code.

7 (25) The physical voter registration application on file in the county
8 clerk's office; however, a redacted copy of said application shall be made
9 available consistent with the requirements of this section. Information
10 from the voter registration application maintained in the statewide voter
11 registration database, including age, will be made available except for
12 the voter's driver's license number, date of birth and, upon a showing that
13 the voter comes within the provisions of subsection (30) of this section or
14 upon showing of good cause by the voter to the county clerk in consultation
15 with the county prosecuting attorney, the physical residence address of the
16 voter. For the purposes of this subsection, good cause shall include the
17 protection of life and property and protection of victims of domestic vio-
18 lence and similar crimes.

19 (26) File numbers, passwords and information in the files of the health
20 care directive registry maintained by the department of health and welfare
21 under section 39-4515, Idaho Code, are confidential and shall not be dis-
22 closed to any person other than to the person who executed the health care
23 directive or the revocation thereof and that person's legal representa-
24 tives, to the person who registered the health care directive or revocation
25 thereof, and to physicians, hospitals, medical personnel, nursing homes,
26 and other persons who have been granted file number and password access to
27 the documents within that specific file.

28 (27) Records in an address confidentiality program participant's file
29 as provided for in chapter 57, title 19, Idaho Code, other than the address
30 designated by the secretary of state, except under the following circum-
31 stances:

32 (a) If requested by a law enforcement agency, to the law enforcement
33 agency; or

34 (b) If directed by a court order, to a person identified in the order.

35 (28) Except as otherwise provided by law relating to the release of in-
36 formation to a governmental entity or law enforcement agency, any personal
37 information including, but not limited to, names, personal and business ad-
38 dresses and phone numbers, sex, height, weight, date of birth, social secu-
39 rity and driver's license numbers, or any other identifying numbers and/or
40 information related to any Idaho fish and game licenses, permits and tags un-
41 less written consent is obtained from the affected person.

42 (29) Documents and records related to alternatives to discipline that
43 are maintained by the Idaho board of veterinary medicine under the provi-
44 sions of section 54-2118(1)(b), Idaho Code, provided the requirements set
45 forth therein are met.

46 (30) The Idaho residential street address and telephone number of an el-
47 igible law enforcement officer and such officer's residing household mem-
48 ber(s) as provided for in chapter 58, title 19, Idaho Code, except under the
49 following circumstances:

1 (a) If directed by a court order, to a person identified in the court
2 order;

3 (b) If requested by a law enforcement agency, to the law enforcement
4 agency;

5 (c) If requested by a financial institution or title company for busi-
6 ness purposes, to the requesting financial institution or title com-
7 pany; or

8 (d) If the law enforcement officer provides written permission for dis-
9 closure of such information.

10 (31) All information exchanged between the Idaho transportation de-
11 partment and insurance companies, any database created, all information
12 contained in the verification system and all reports, responses or other
13 information generated for the purposes of the verification system, pursuant
14 to section 49-1234, Idaho Code.

15 (32) Nothing in this section shall prohibit the release of information
16 to the state controller as the state social security administrator as pro-
17 vided in section 59-1101A, Idaho Code.

18 (33) Personal information including, but not limited to, property val-
19 ues, personal and business addresses, phone numbers, dates of birth, social
20 security and driver's license numbers or any other identifying numbers or
21 information maintained by the administrator of the unclaimed property law
22 set forth in chapter 5, title 14, Idaho Code. Nothing in this subsection
23 shall prohibit the release of names, last known city of residence, property
24 value ranges and general property information by the administrator for the
25 purpose of reuniting unclaimed property with its owner.

26 (34) Any personal information collected by the secretary of state, pur-
27 suant to section 67-906(1) (b), Idaho Code, for the purpose of allowing indi-
28 viduals to access the statewide electronic filing system authorized in sec-
29 tion 67-906, Idaho Code, and any notification e-mail addresses submitted as
30 part of a lobbyist's registration under section 67-6617, Idaho Code, of an
31 employer, client, or designated contact for the purpose of electronic noti-
32 fication of that employer, client, or designated contact of a report filed
33 under section 67-6619, Idaho Code.

34 (35) School safety plans developed pursuant to section 33-512(16),
35 Idaho Code, and the identities and positions of any persons authorized to
36 possess a firearm or other deadly weapon on school property pursuant to sec-
37 tion 18-3302D(4) (g), Idaho Code.