LEGISLATURE OF THE STATE OF IDAHO  
Sixty-sixth Legislature  
Second Regular Session - 2022

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 666

BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO MINORS; AMENDING SECTION 18-1517, IDAHO CODE, TO REMOVE A PROVISION REGARDING AN AFFIRMATIVE DEFENSE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 18-1517, Idaho Code, be, and the same is hereby amended to read as follows:

18-1517. DISSEMINATING MATERIAL HARMFUL TO MINORS -- DEFENSES. In any prosecution for disseminating material harmful to minors, it is an affirmative defense that:

(a) The defendant had reasonable cause to believe that the minor involved was eighteen (18) years of age or more older, or such minor exhibited to the defendant a draft card, driver's license, birth certificate, or other official or apparently official document purporting to establish that the minor was eighteen (18) years of age or older;

(b) The minor involved was accompanied by his parent or legal guardian, or by an adult and the adult represented that he was the minor's parent or guardian or an adult and signed a written statement to that effect;

(c) The defendant was the parent or guardian of the minor involved.

(d) The defendant was a bona fide school, college, university, museum or public library, or was acting in his capacity as an employee of such an organization or a retail outlet affiliated with and serving the educational purposes of such an organization.

SECTION 2. An emergency existing therefore, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2022.