

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 696

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE DEPARTMENT OF LANDS; AMENDING SECTION 58-120, IDAHO CODE, TO  
2 REVISE PROVISIONS REGARDING LEGAL REPRESENTATION OF THE DEPARTMENT OF  
3 LANDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 58-120, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 58-120. ATTORNEY GENERAL NOT TO REPRESENT ~~STATE~~ THE DEPARTMENT OF  
9 LANDS. The attorney general shall not represent ~~or shall cause the state to~~  
10 ~~be properly represented in all suits, actions, contests or controversies re-~~  
11 ~~lating to or involving state lands or timber, before the several land offices~~  
12 ~~in this state, before the general land office at Washington, D.C., and before~~  
13 ~~the courts of this state and of the United States, and may employ and shall~~  
14 ~~not provide legal services to the department of lands. The department of~~  
15 ~~lands may employ attorneys not employed by the attorney general or contract~~  
16 ~~with a competent private attorney or private attorneys for that purpose, who~~  
17 ~~shall be paid out of the fund provided for the department of lands.~~

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