

Moved by Anthon

Seconded by Agenbroad

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 735

AMENDMENT TO SECTION 1

1
2 On page 2 of the printed bill, in line 17, delete "Further, it is the in-";
3 and delete lines 18 through 21, and insert: "It is also the intent of the Leg-
4 islature that all administrative rules promulgated by the State Public De-
5 fense Commission shall expire on and after October 1, 2024, after the transi-
6 tion to the new model."

AMENDMENT TO SECTION 3

7
8 On page 4, delete lines 27 through 47, and insert:

9 "(10) Eleven and five-tenths percent (11.5%) is continuously appro-
10 priated and shall be distributed to the revenue-sharing account, which is
11 hereby created in the state treasury, and the moneys in the revenue-sharing
12 account will be paid in installments each calendar quarter by the state tax
13 commission on and after July 1, 2020, as follows:

14 (a) Forty-five and two-tenths percent (45.2%) shall be paid to the var-
15 ious cities as follows:

16 (i) The Beginning in fiscal year 2025 and each fiscal year there-
17 after, four million dollars (\$4,000,000) shall be transferred
18 each quarter to the state public defense fund created in section
19 57-827, Idaho Code.

20 (ii) After the distribution required by subparagraph (i) of this
21 paragraph, the revenue-sharing amount calculated by the state tax
22 com-".

23 On page 5, in line 3, delete "(ii)" and insert: "(iii)"; in line 7,
24 delete "(iii)" and insert: "(iv)"; in line 30, delete "(iv)" and insert:
25 "(v)"; and delete line 40, and insert:

26 (i) Fifty-nine Beginning in fiscal year 2025, five million dol-
27 lars (\$5,000,000) shall be transferred each quarter to the state
28 public defense fund created in section 57-827, Idaho Code. The
29 growth percentage distributed pursuant to this subparagraph shall
30 be recalculated each quarter beginning in fiscal year 2026 and
31 in each fiscal year thereafter through fiscal year 2030. If the
32 growth is positive and is calculated over the same period from
33 the previous fiscal year, a proportional increase in the ini-
34 tial transfer amount of up to five percent (5%) annually shall
35 be transferred to the state public defense fund. After fiscal
36 year 2030, an amount equal to one-fourth (1/4) of the total amount
37 transferred to the state public defense fund in fiscal year 2030
38 pursuant to this subparagraph shall be transferred quarterly to
39 the state public defense fund;

1 On page 17, following line 2, insert:

2 "SECTION 52. That Section 31-3558, Idaho Code, be, and the same is
3 hereby repealed.

4 SECTION 53. That Section 57-811, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 57-811. TAX RELIEF FUND. (1) There is hereby created in the state
7 treasury the tax relief fund to which shall be credited all moneys remitted
8 from sections 63-3620F and 63-3638, Idaho Code, from federal grants, dona-
9 tions, or any other source. Moneys in the fund are intended to fund future
10 tax relief statutes enacted by the legislature and may be expended pursuant
11 to appropriation. All interest earned on the investment of idle moneys in
12 the fund shall be returned to the fund.

13 (2) On July 15, 2021, the state controller shall transfer one hundred
14 eighty million dollars (\$180,000,000) from the tax relief fund to the 2021
15 Idaho tax rebate fund.

16 (3) For fiscal year 2022 and each fiscal year thereafter, the state con-
17 troller shall transfer one hundred ten million dollars (\$110,000,000) from
18 the tax relief fund to the general fund.

19 (4) In addition to any other transfers authorized under this section,
20 for fiscal years 2023 and 2024 only, the state controller shall transfer up
21 to thirty-four million dollars (\$34,000,000) from the tax relief fund to the
22 general fund.

23 (5) On July 1, 2024, any remaining moneys in the tax relief fund shall be
24 distributed pursuant to the provisions of section 63-3638, Idaho Code."
25 and renumber subsequent sections accordingly.

26 AMENDMENT TO SECTION 52

27 On page 20, in line 37, delete "the chari-"; and delete line 38, and in-
28 sert: "indigent public defense. The reduced budget amount shall be the base
29 budget for the purpose of subsection (1) (a) (i) of this section."

30 AMENDMENT TO SECTION 59

31 On page 26, delete lines 26 through 42.

32 AMENDMENT TO THE BILL

33 On page 26, delete lines 43 through 49, and insert:

34 "SECTION 62. That Section 57-811, Idaho Code, be, and the same is hereby
35 repealed.

36 SECTION 63. An emergency existing therefor, which emergency is hereby
37 declared to exist, Sections 5 through 38, 54, 59, and 61 of this act shall
38 be in full force and effect on and after passage and approval; and Sections
39 1 through 4, 53, 55, 57, 58, and 60 shall be in full force and effect on and
40 after July 1, 2022. Sections 39 through 52 shall be in full force and effect
41 on and after July 1, 2023. Section 62 shall be in full force and effect on and
42 after July 2, 2024. Section 56 shall be in full force and effect on and after
43 October 1, 2024."

CORRECTION TO TITLE

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2 On page 1, in line 35, following "CLAIMS;" insert: "REPEALING SECTION
3 31-3558, IDAHO CODE, RELATING TO CERTAIN NONDISCLOSURE OF PERSONAL IDENTI-
4 FYING INFORMATION; AMENDING SECTION 57-811, IDAHO CODE, TO PROVIDE FOR THE
5 TRANSFER OF MONEYS FROM THE TAX RELIEF FUND;".

6 On page 2, in line 2, delete "AND TO PROVIDE CERTAIN EXCEPTIONS;" and in-
7 sert: "; REPEALING SECTION 57-811, IDAHO CODE, RELATING TO THE TAX RELIEF
8 FUND;".