

STATEMENT OF PURPOSE

RS31155 / H0514

This is a correction of an unintended loophole in Idaho Law, 18-8303. This correction was pointed out by Judge Tingey recently in a brief on his ruling, March 26, 2023, in which he stated:

"Clearly, the application of the current statutory scheme raises questions as to whether the clear language of the statute accurately reflects the legislature's intent. Indeed, what is considered and not considered to be an aggravated offense seems contradictory in view of the ages of the victims. Still, this Court may not rewrite legislation which is clear and unambiguous even though it may defy common sense."

FISCAL NOTE

This legislation causes no additional expenditure of funds for state or local government, nor does it cause an increase or decrease in revenue for the state or local government. Therefore this legislation has no fiscal impact.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).