

IN THE SENATE

SENATE BILL NO. 1303, As Amended

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

1 RELATING TO PURCHASING; AMENDING SECTION 59-514, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING PERSONAL SERVICE CONTRACTS; AMENDING CHAPTER 28,
3 TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2810, IDAHO
4 CODE, TO ESTABLISH PROVISIONS REGARDING PERSONAL SERVICE CONTRACTS;
5 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
6

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

8 SECTION 1. That Section 59-514, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 59-514. PUBLICATION OF CONTRACTEE, AMOUNT, AND PURPOSE OF PERSONAL
11 SERVICE CONTRACTS -- DEFINITION. (1) The state of Idaho, ~~and all taxing en-~~
12 ~~tities within the state of Idaho,~~ shall publish, within fifteen (15) days of
13 entering into any personal service contract, the parties, amount, and a one
14 (1) sentence purpose of all such personal service contracts over ~~ten thou-~~
15 ~~sand dollars (\$10,000) thirty thousand dollars (\$30,000) annual payment,~~
16 regardless of whether the moneys for such contract are derived from state
17 taxes, local taxes, federal funds, or a combination of such funds; ~~however,~~
18 ~~when such contracts are entered into with a county, the publication require-~~
19 ~~ments provided in this section are satisfied when the required information~~
20 ~~is included in the next published monthly statement pursuant to the provi-~~
21 ~~sions of section 31-819, Idaho Code.~~ The publication shall be in a newspaper
22 of general circulation within the geographical area wherein such personal
23 service is to be performed.

24 (2) "Personal service" means performance for remuneration by an in-
25 dividual on a specified contractual basis of specialized professional or
26 consultive expertise germane to administration, maintenance, or conduct of
27 governmental activities ~~which that~~ require intellectual or sophisticated
28 and varied services, dependent upon facilities, invention, imagination, or
29 a specific talent ~~which that~~ the state ~~or the taxing entity~~ itself cannot
30 provide or accomplish.

31 SECTION 2. That Chapter 28, Title 67, Idaho Code, be, and the same is
32 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
33 ignated as Section 67-2810, Idaho Code, and to read as follows:

34 67-2810. PUBLICATION OF CONTRACTEE, AMOUNT, AND PURPOSE OF PERSONAL
35 SERVICE CONTRACTS -- DEFINITION. (1) All taxing entities within the state of
36 Idaho shall publish, within fifteen (15) days of entering into any personal
37 service contract, the parties, amount, and a one (1) sentence purpose of all
38 such personal service contracts over thirty thousand dollars (\$30,000) an-
39 nual payment, regardless of whether the moneys for such contract are derived
40 from state taxes, local taxes, federal funds, or a combination of such funds;

1 however, when such contracts are entered into with a county, the publica-
2 tion requirements provided in this section are satisfied when the required
3 information is included in the next published monthly statement pursuant to
4 the provisions of section 31-819, Idaho Code. The publication shall be in a
5 newspaper of general circulation within the geographical area wherein such
6 personal service is to be performed.

7 (2) "Personal service" means performance for remuneration by an in-
8 dividual on a specified contractual basis of specialized professional or
9 consultive expertise germane to administration, maintenance, or conduct
10 of governmental activities that require intellectual or sophisticated and
11 varied services, dependent upon facilities, invention, imagination, or a
12 specific talent that the taxing entity itself cannot provide or accomplish.

13 SECTION 3. An emergency existing therefor, which emergency is hereby
14 declared to exist, this act shall be in full force and effect on and after
15 July 1, 2024.