

STATEMENT OF PURPOSE

RS31808 / H0009

Idaho's Administrative Procedure Act, which governs the conduct of contested cases before Idaho's administrative agencies, is largely based upon the 1961 Model State Administrative Procedure Act ("MSAPA"), with selected updates and Idaho-specific modifications since it was initially codified in 1992. Modern practice, and related developments in administrative law, warrant an update to several provisions of the Idaho Administrative Procedure Act. This bill also updates the 1961 MSAPA references to "hearing officer," in referring to hearing officers employed full-time in the Office of Administrative Hearing, to the modern parlance of "administrative law judge," which has been in use in other jurisdictions since the 1981 version of the MSAPA. Finally, this bill cleans up references in other parts of the Idaho Code to the Idaho Rules of Administrative Procedure of the Attorney General, which was eliminated upon the introduction of the new Idaho Rules of Administrative Procedure, created and maintained by the Office of Administrative Hearings, on July 1, 2024.

FISCAL NOTE

This legislation will have no impact on the state's General fund or any dedicated fund or federal fund because the proposed changes in this bill are only intended to update governing procedures in administrative contested cases, both as the result of modern practices and updates to administrative law.

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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).