

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-EIGHTH LEGISLATURE

SEVENTY-EIGHTH LEGISLATIVE DAY
MONDAY, MARCH 30, 2026

Senate Chamber

President Bedke called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Adams, Lakey, Ruchti, and Wintrow, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Haeden Carter, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2026, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Wintrow was recorded present at this order of business.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2026

The JUDICIARY AND RULES Committee reports that [SCR 128](#), [S 1444](#), and [S 1445](#) have been correctly printed.

LAKEY, Chairman

[SCR 128](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1444](#) was referred to the Finance Committee.

[S 1445](#) was referred to the Agricultural Affairs Committee.

Senator Lakey was recorded present at this order of business.

March 29, 2026

The JUDICIARY AND RULES Committee reports that [S 1270](#), as amended, [S 1335](#), as amended, [S 1299](#), as amended, [S 1376](#), [S 1416](#), [S 1417](#), [S 1294](#), as amended, [S 1297](#), as amended, [S 1352](#), as amended, [S 1354](#), as amended, [S 1412](#), [S 1236](#), and [S 1320](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1270](#), as amended, [S 1335](#), as amended, [S 1299](#), as amended, [S 1376](#), [S 1416](#), [S 1417](#), [S 1294](#), as amended, [S 1297](#), as amended, [S 1352](#), as amended, [S 1354](#), as amended, [S 1412](#), [S 1236](#), and [S 1320](#) and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2026

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 123](#) was delivered to the Office of the Secretary of State at 10:29 a.m., March 27, 2026.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 27, 2026

The JUDICIARY AND RULES Committee reports that Enrolled [S 1330](#), as amended, was delivered to the Office of the Governor at 10:30 a.m., March 27, 2026.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 27, 2026

The FINANCE Committee reports out [H 949](#) and [H 950](#) with the recommendation that they do pass.

GROW, Chairman

[H 949](#) and [H 950](#) were filed for second reading.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 26, 2026

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 26, 2026 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1262](#), [S 1369](#), [S 1339](#), and [S 1260](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 27, 2026

Dear Mr. President:

I transmit herewith [H 952](#), which has passed the House.

MCGINNIS, Chief Clerk

[H 952](#) was filed for first reading.

March 27, 2026

Dear Mr. President:

I return herewith [S 1426](#) and [S 1427](#), which have passed the House.

MCGINNIS, Chief Clerk

[S 1426](#) and [S 1427](#) were referred to the Judiciary and Rules Committee for enrolling.

March 27, 2026

Dear Mr. President:

I return herewith [S 1397](#), which has failed to pass the House.

MCGINNIS, Chief Clerk

[S 1397](#) was ordered filed in the office of the Secretary of the Senate.

March 27, 2026

Dear Mr. President:

I transmit herewith Enrolled [H 797](#), [H 843](#), [H 711](#), [H 832](#), [H 795](#), [H 817](#), [H 831](#), [H 872](#), [H 893](#), [H 650](#), [H 674](#), [H 629](#), as amended in the Senate, [H 678](#), as amended in the Senate, [H 522](#), as amended in the Senate, [H 684](#), as amended in the Senate, [H 561](#), as amended, as amended in the Senate, and [H 860](#), as amended in the Senate, for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 797](#), [H 843](#), [H 711](#), [H 832](#), [H 795](#), [H 817](#), [H 831](#), [H 872](#), [H 893](#), [H 650](#), [H 674](#), [H 629](#), as amended in the Senate, [H 678](#), as amended in the Senate, [H 522](#), as amended in the Senate, [H 684](#), as amended in the Senate, [H 561](#), as amended, as amended in the Senate, and [H 860](#), as amended in the Senate, and ordered them returned to the House.

March 27, 2026

Dear Mr. President:

I return herewith Enrolled [S 1348](#), as amended, [S 1322](#), and [S 1350](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1348](#), as amended, [S 1322](#), and [S 1350](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 27, 2026

Dear Mr. President:

I return herewith Enrolled [SCR 122](#), [SJM 109](#), and [SJM 112](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [SCR 122](#), [SJM 109](#), and [SJM 112](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1446
BY FINANCE COMMITTEE
AN ACT**

RELATING TO APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR FISCAL YEAR 2027; APPROPRIATING ADDITIONAL MONEYS TO THE JUDICIAL BRANCH FOR FISCAL YEAR 2027; AUTHORIZING EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS FOR BEHAVIORAL HEALTH PROGRAMS; DIRECTING THE USE OF THE STATE-DIRECTED OPIOID SETTLEMENT FUND; PROVIDING FOR CONDITIONS, LIMITATIONS, AND RESTRICTIONS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

**S 1447
BY FINANCE COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF STUDENT SUPPORT; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF STUDENT SUPPORT FOR FISCAL YEAR 2027; CLARIFYING THE ORIGINAL FUND SOURCE FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF STUDENT SUPPORT; TRANSFERRING MONEYS FROM THE IDAHO CAREER READY STUDENTS PROGRAM FUND TO THE IDAHO HIGH NEEDS STUDENT FUND; TRANSFERRING MONEYS FROM THE DRIVER TRAINING ACCOUNT TO THE IDAHO HIGH NEEDS STUDENT FUND; PROVIDING FOR CONDITIONS, LIMITATIONS, AND RESTRICTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1446](#) and [S 1447](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 952](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 508](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1424](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 913](#), [H 935](#), [H 940](#), and [H 930](#), by Ways and Means Committee, were read the second time at length and filed for third reading.

[S 1436](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Den Hartog, granted by unanimous consent, [S 1362](#), [S 1356](#), [S 1408](#), [S 1411](#), and [S 1422](#), all having been held, retained their place on the Third Reading Calendar.

[S 1420](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke (Bjerke), Burtenshaw, Cook, Guthrie, Harris, Lakey, Lent, Rabe, Ricks, Ruchti, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 18.

NAYS—Blaylock, Carlson, Den Hartog, Foreman, Galloway, Grow, Hart, Keyser, Kohl, Lenney, Nichols, Okuniewicz, Shippy, Toews, Zito, Zuiderveld. Total - 16.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [S 1420](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1430](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keyser arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Ruchti, Semmelroth, Shippy, Toews, VanOrden, Ward-Engelking, Woodward, Zito, Zuiderveld. Total - 31.

NAYS—Rabe, Taylor, Wintrow. Total - 3.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [S 1430](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1432](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Wintrow disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bernt, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Rabe, Ricks, Ruchti, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 23.

NAYS—Bjerke (Bjerke), Hart, Keyser, Kohl, Lenney, Nichols, Okuniewicz, Shippy, Toews, Zito, Zuiderveld. Total - 11.

Absent and excused—Adams. Total - 1.

Total - 35.

Whereupon the President declared [S 1432](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1433](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bernt, Burtenshaw, Carlson, Cook, Den Hartog, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Rabe, Ruchti, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 20.

NAYS—Adams, Bjerke (Bjerke), Blaylock, Foreman, Hart, Keyser, Kohl, Lenney, Nichols, Okuniewicz, Ricks, Shippy, Toews, Zito, Zuiderveld. Total - 15.

Total - 35.

Whereupon the President declared [S 1433](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1434](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Burtenshaw, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Lakey, Lenney, Lent, Nichols, Rabe, Ricks, Ruchti, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 24.

NAYS—Bjerke (Bjerke), Carlson, Hart, Keyser, Kohl, Okuniewicz, Shippy, Toews, Zito, Zuiderveld. Total - 10.

Absent and excused—Blaylock. Total - 1.

Total - 35.

Whereupon the President declared [S 1434](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1437](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Wintrow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 35.

Whereupon the President declared [S 1437](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Den Hartog, granted by unanimous consent, [S 1438](#) retained its place on the Third Reading Calendar.

[S 1439](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 35.

Whereupon the President declared [S 1439](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1264](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Lent, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 25.

NAYS—Carlson, Hart, Keyser, Kohl, Lakey, Lenney, Nichols, Okuniewicz, Zito, Zuiderveld. Total - 10.

Total - 35.

Whereupon the President declared [S 1264](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1418](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bjerke (Bjerke), Carlson, Hart, Keyser, Lenney, Nichols, Okuniewicz, Rabe, Ruchti, Semmelroth, Toews, Ward-Engelking, Wintrow, Woodward. Total - 15.

NAYS—Adams, Bernt, Blaylock, Burtenshaw, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Kohl, Lakey, Lent, Ricks, Shippy, Taylor, VanOrden, Zito, Zuiderveld. Total - 20.

Total - 35.

Whereupon the President declared that [S 1418](#), as amended, had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

On request by Senator Den Hartog, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2026

The JUDICIARY AND RULES Committee reports out [H 896](#) and [S 1442](#) with the recommendation that they do pass.

LAKEY, Chairman

On request by President Pro Tempore Anthon, granted by unanimous consent, [S 1442](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 896](#) was filed for second reading.

March 30, 2026

The FINANCE Committee reports out [H 952](#) and [S 1444](#) with the recommendation that they do pass.

GROW, Chairman

[H 952](#) and [S 1444](#) were filed for second reading.

On motion by Senator Den Hartog, seconded by Senator Wintrow, by voice vote the Senate recessed at 12:08 p.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Bedke presiding.

Roll call showed all members present except Senators Grow and Hart, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 30, 2026

The JUDICIARY AND RULES Committee reports that [S 1426](#) and [S 1427](#) have been correctly enrolled.

LAKEY, Chairman

The President signed Enrolled [S 1426](#) and [S 1427](#) and ordered them transmitted to the House for the signature of the Speaker.

March 30, 2026

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 122](#), [SJM 109](#), and [SJM 112](#) were delivered to the Office of the Secretary of State at 10:20 a.m., March 30, 2026.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Grow was recorded present at this order of business.

March 30, 2026

The JUDICIARY AND RULES Committee reports that Enrolled [S 1348](#), as amended, [S 1322](#), and [S 1350](#) were delivered to the Office of the Governor at 10:23 a.m., March 30, 2026.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 27, 2026

The Honorable Scott Bedke
President of the Senate
Idaho State Senate

Dear Mr. President:

I have the honor to advise you that I have signed on March 27, 2026 and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1266](#), [S 1316](#), [S 1402](#), [S 1403](#), [S 1404](#),
[S 1405](#), [S 1406](#), and [S 1409](#)

Sincerely,
/s/ Brad Little
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 30, 2026

Dear Mr. President:

I return herewith [S 1396](#), which has passed the House.

MCGINNIS, Chief Clerk

[S 1396](#) was referred to the Judiciary and Rules Committee for enrolling.

March 30, 2026

Dear Mr. President:

I transmit herewith Enrolled [H 855](#), [H 752](#), [H 856](#), and [H 803](#) for the signature of the President.

MCGINNIS, Chief Clerk

The President signed Enrolled [H 855](#), [H 752](#), [H 856](#), and [H 803](#) and ordered them returned to the House.

March 30, 2026

Dear Mr. President:

I return herewith Enrolled [S 1270](#), as amended, [S 1335](#), as amended, [S 1299](#), as amended, [S 1376](#), [S 1416](#), [S 1417](#), [S 1294](#), as amended, [S 1297](#), as amended, [S 1352](#), as amended, [S 1354](#), as amended, [S 1412](#), [S 1236](#), and [S 1320](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1270](#), as amended, [S 1335](#), as amended, [S 1299](#), as amended, [S 1376](#), [S 1416](#), [S 1417](#), [S 1294](#), as amended, [S 1297](#), as amended, [S 1352](#), as amended, [S 1354](#), as amended, [S 1412](#), [S 1236](#), and [S 1320](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Senator Hart was recorded present at this order of business.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1448

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MINORS; AMENDING SECTION 18-1514, IDAHO CODE, TO DEFINE TERMS, TO REVISE DEFINITIONS, TO REMOVE A DEFINITION, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING

SECTION 18-1515, IDAHO CODE, TO REVISE PROVISIONS REGARDING DISSEMINATING MATERIAL HARMFUL TO MINORS; AMENDING SECTION 18-1517B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHILDREN'S SCHOOL AND LIBRARY PROTECTION; AMENDING SECTION 18-4105, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 67-6533, IDAHO CODE, TO REVISE A REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1448](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 942](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 24.

NAYS—Bjerke (Bjerke), Foreman, Hart, Keyser, Kohl, Lenney, Nichols, Okuniewicz, Toews, Zito, Zuiderveld. Total - 11.

Total - 35.

Whereupon the President declared [H 942](#) passed, title was approved, and the bill ordered returned to the House.

[H 730](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Blaylock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shippy, Toews, VanOrden, Woodward, Zito, Zuiderveld. Total - 29.

NAYS—Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 6.

Total - 35.

Whereupon the President declared [H 730](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 928](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kohl arose as co-sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shippy, Toews, VanOrden, Woodward, Zito, Zuiderveld. Total - 29.

NAYS—Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow. Total - 6.

Total - 35.

Whereupon the President declared [H 928](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 758](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Acting Senator Bjerke arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shippy, Toews, VanOrden, Zito, Zuiderveld. Total - 28.

NAYS—Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow, Woodward. Total - 7.

Total - 35.

Whereupon the President declared [H 758](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 822](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Shippy, Toews, VanOrden, Zito, Zuiderveld. Total - 27.

NAYS—Guthrie, Rabe, Ruchti, Semmelroth, Taylor, Ward-Engelking, Wintrow, Woodward. Total - 8.

Total - 35.

Whereupon the President declared [H 822](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

On request by Senator Wintrow, the following Minority Report relative to [H 822](#), as amended in the Senate, was spread upon the pages of the Journal.

March 30, 2026

Senate Committee on Judiciary and Rules
Second Regular Session of the
Sixty-Eighth Legislature - 2026

MINORITY REPORT

DISSENTING FROM THE CONCLUSIONS OF THE COMMITTEE TO SEND H 822 TO THE SENATE FLOOR WITH A DO-PASS RECOMMENDATION.

We, the undersigned Senators, do respectfully dissent from the decision of the Senate Judiciary and Rules Committee to send House Bill 822 (H822) to the floor with a do-pass

recommendation. We submit this Minority Report based on the following facts and conclusions:

1. This bill's additional penalty of up to \$100,000 is disproportionate to the nature of the offense and likely unconstitutional under the Excessive Fines Clause;

2. The definition of "social transition" is overly broad and vague, creating unworkable standards for covered entities and chilling the lawful expression of Idaho's young people;

3. The "aid or abet" provision likely restricts protected speech and imposes undefined liability on medical and mental health professionals;

4. This bill contains no safety exception for children at knowable risk of abuse, homelessness, or parental violence; and

5. The bill creates compelled speech obligations that conflict with professional ethical and legal duties.

Excessive Fine Acts as a Disproportionate Penalty

H822's \$100,000 civil penalty is not remedial in purpose and is grossly disproportionate to the offense it targets, exposing the state to a successful constitutional challenge. This legislation opens the state of Idaho up to an excessive fine challenge under Idaho Const. art. I, § 6 (identical to the 8th Amendment of the Constitution of the United States). Section 12 of H822 authorizes the Attorney General to seek a penalty against a covered entity of up to \$100,000, in addition to permitting a private right of action to alleged aggrieved parties for compensatory damages.

The penalty cannot be justified as remedial when compared to the full landscape of Idaho law governing similar conduct involving children and schools. See e.g., *Timbs v. Indiana*, 586 U.S. 148 (2019) (excessive fines clause applies to the states); see also *Nez Perce Cnty. Prosecuting Attorney v. Reese*, 142 Idaho 893, 136 P.3d 364 (Ct. App. 2006) ("among the most important factors when determining the gravity of the offense are other penalties authorized by the legislature").

When measured against comparable Idaho statutes, the \$100,000 penalty stands alone as singular and excessive. Idaho's bathroom-access statute authorizes \$5,000 per incident against a school (I.C. § 33-6601); the parental-notice and harmful-materials statutes authorize only \$250 in statutory damages; false reporting of child abuse — conduct involving malice — carries \$2,500 in statutory damages, or actual damages with possible trebling (I.C. § 16-1607); parents breaching juvenile probation contracts face at most \$1,000 (I.C. § 20-522); and criminal statutes involving alleged harm to children, such as enticement or DUI with a minor, authorize fines in the \$1,000-\$5,000 range (I.C. § 18-8004A). A court is therefore likely to find that a six-figure civil fine for a failure to report information is grossly disproportionate to the offense when compared to these lesser statutory penalties for other, often more serious, conduct.

Overbroad and Vague Definition of "Social Transition" Creates Unworkable Standards and Chills the Expression of Idaho's Young People

H822 should have been rejected out of hand for the unreasonable legal exposure it poses to Idaho's schools, teachers, day care providers, and health care providers.

H822 creates an unworkable standard for "covered entities," which are defined as "primary or secondary educational institutions, a childcare provider, or a medical, behavioral, or mental health care provider." This is because the definition of

"social transition" is overbroad, vague, and unworkable, and for the same reason, H822 will chill the expression of Idaho's young people — impermissibly interfering with the critical developmental stages in which children express themselves and thereby develop identity and confidence.

The definition of "social transition" sweeps in ordinary, protected conduct that has no connection to clinical gender transition.

H822 defines "social transition" as "the process by which an individual goes from identifying with and living as a gender that corresponds to the individual's sex to identifying with and living as a gender different from the individual's sex and may involve social, legal, or physical changes, including adopting a name, pronouns, appearance, or dress that does not correspond to the individual's sex." On its face, this definition would apply to a girl who chooses to wear a baggy hooded sweatshirt typically worn by boys, or a boy who grows his hair long and wears it in a ponytail.

The overbroad definition will also lead to disparate and arbitrary application, because whether a child has "adopted an appearance or dress" not corresponding to their sex is entirely in the eye of the beholder.

What one parent or guardian may perceive as an appearance inconsistent with their child's sex may not be perceived the same way by a teacher or health care provider subject to the law's reporting requirements. This subjectivity makes consistent enforcement impossible and exposes covered entities to unpredictable liability.

The definition is also impermissibly vague because it fails to distinguish between temporary or voluntary expressions and more lasting changes intended to address gender dysphoria.

Under the proposed law, it is unclear whether a girl who adopts what may be perceived as a traditionally masculine style of dress for a week is engaged in a "social transition," as compared to a girl who changes her appearance permanently with the specific intent to therapeutically address gender dysphoria. The bill contains no requirement of persistence, no clinical threshold, and no intent requirement.

The bill's undefined terms — including "facilitate," "contribute," "appearance," and "mannerisms" — leave covered entities with no workable standard for compliance.

Because "facilitate or contribute" is undefined, a counselor who listens without discouraging, a teacher who uses a student's nickname, or a coach who does not immediately report a student's change in clothing could each arguably be in violation. Teachers are therefore forced to choose between over-reporting nearly everything to avoid liability or risking \$100,000 in penalties — an impossible standard that is not workable policy.

Due to these overbreadth and vagueness problems, H822 subjects Idaho's schools, teachers, administrators, doctors, and mental health professionals to unreasonable legal exposure while diverting attention and resources from the core missions of education and health care.

Perhaps most critically, H822 chills the free expression of Idaho's young people.

H822 defines parents who believe their child was "subjected to social transition procedures" as aggrieved persons entitled to private causes of action. To subject someone to something implies coercion or force. However, due to the vague definition

of "social transition," it is unclear whether a female student who is given a nickname by her friends and coaches that could be construed as a "boy name" is being coerced or simply celebrated. H822 would effectively punish Idaho's children for expression that carries no indicia of unjust or involuntary compulsion and causes no demonstrable harm to themselves or anyone else.

The "Aid or Abet" Provision Likely Restricts Protected Speech and Creates Unconstitutionally Vague Liability

Section 32-1016(8)'s prohibition on "aiding or abetting" a child's efforts to obtain sex transition procedures likely restricts constitutionally protected speech and imposes undefined liability on licensed professionals.

The provision states: "A covered entity shall not aid or abet a child's efforts to obtain sex transition procedures." Courts have repeatedly held that the First Amendment protects medical professionals when they provide information or referrals to patients, and this provision could prohibit doctors, therapists, and school counselors from providing even basic information about medical care to a minor.

The phrase "aid or abet" is a criminal term of art that is undefined in this civil statute, creating serious vagueness concerns.

Idaho Code § 18-204 defines aiding and abetting in the criminal context as conduct by persons "concerned in the commission of a crime." Importing that language into a civil statute without definition fails to give covered entities fair notice of what conduct is prohibited. The phrase could encompass counseling, answering questions, providing educational materials, or making a referral — conduct that is both lawful and professionally required.

The provision also risks unconstitutional viewpoint discrimination by permitting professionals to discourage gender-affirming care while exposing them to liability for discussing it as a medical option.

Courts treat one-sided restrictions on professional speech as viewpoint discrimination, which is strongly disfavored under the First Amendment. A doctor or counselor could freely advise against gender-affirming care but face civil liability for presenting it as a legitimate medical option — a distinction the Constitution does not permit the government to draw.

H822 Contains No Safety Exception, Placing Children at Risk

One of H822's most serious flaws is its complete absence of any safety exception, forcing mandatory disclosure even when a covered entity has credible reason to believe that disclosure will endanger the child.

The bill contains no carve-out for situations involving known parental hostility, prior violence, religious coercion, risk of homelessness, or active suicide risk. Mandated reporters — including social workers, therapists, and school counselors — are trained to assess precisely these complex risk factors, and the bill strips them of that professional judgment entirely.

By eliminating clinical discretion in safety assessments, H822 directly undermines Idaho's suicide prevention infrastructure.

Students who fear parental reaction will avoid counselors, avoid trusted teachers, and avoid mental health support altogether.

The result is not greater safety — it is more fear, more isolation, and less access to care for Idaho's most vulnerable young people.

H822 Creates Compelled Speech Obligations That Conflict with Professional Legal and Ethical Duties

H822's mandatory disclosure requirements constitute compelled speech that conflicts with the legal confidentiality obligations and professional ethical standards governing Idaho's licensed health and mental health care providers.

HIPAA, state medical privacy laws, and the ethical codes of the American Psychological Association, American Medical Association, National Association of Social Workers, and American Counseling Association all impose obligations of confidentiality that this bill directly overrides. Providers forced to choose between their legal and ethical duties on one hand and state-mandated disclosure on the other face an impossible conflict — one the bill does nothing to resolve.

The bill's mandatory disclosure structure forces licensed professionals to convey the government's preferred message regardless of their clinical judgment, which is the hallmark of unconstitutional compelled speech.

When a school counselor is required to disclose a student's confidential communication to parents — even when the counselor believes disclosure will cause harm — the state is dictating the content of professional communication and penalizing refusal with massive statutory damages. This coercive structure strengthens a compelled speech challenge under the First Amendment.

Summary of Recommendations

We respectfully request that the legislative record reflect the following:

1. H822's penalty of up to \$100,000 is disproportionate to the nature of the offense and is likely unconstitutional under the Excessive Fines Clause of Idaho Const. art. I, § 6 and the Eighth Amendment, particularly when compared to Idaho's own statutory penalties for more serious conduct involving children and schools;

2. The definition of "social transition" is overly broad and vague, creating unworkable compliance standards for covered entities, exposing teachers, counselors, and health care providers to unpredictable liability, and chilling the lawful expression of Idaho's young people;

3. The undefined terms "facilitate," "contribute," "appearance," and "mannerisms" leave covered entities without fair notice of what conduct is prohibited, inviting arbitrary enforcement and costly litigation;

4. The "aid or abet" provision likely restricts constitutionally protected speech, imposes undefined liability on licensed professionals, and risks unconstitutional viewpoint discrimination by permitting professionals to discourage gender-affirming care while penalizing any discussion of it as a medical option;

5. H822 contains no safety exception for children at risk of abuse, parental violence, homelessness, or suicide, stripping licensed professionals of clinical judgment they are trained and ethically required to exercise; and

6. H822's mandatory disclosure requirements constitute compelled speech that conflicts with HIPAA, state medical privacy law, and the professional ethical obligations of Idaho's licensed health and mental health care providers.

H822 is constitutionally vulnerable, operationally unworkable, and harmful to the very children and professionals it purports to protect. For those reasons, we respectfully dissent from the committee's decision to advance H822 with a do-pass recommendation and urge the full Senate to carefully reconsider the legal and practical implications of this legislation.

Sincerely,
/s/ Senator Melissa Wintrow
/s/ Senator James Ruchti

Pursuant to Senate Rule 21(B), the President ordered the Minority Report filed in the office of the Secretary of the Senate and spread upon the pages of the Journal.

[H 776](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Galloway, Grow, Guthrie, Harris, Lakey, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 27.

NAYS—Anthon, Foreman, Hart, Keyser, Kohl, Lenney, Zito, Zuiderveld. Total - 8.

Total - 35.

Whereupon the President declared [H 776](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Den Hartog, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Den Hartog, seconded by Senator Wintrow, by voice vote the Senate recessed at 2:58 p.m. until the hour of 4:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., President Pro Tempore Anthon assumed the Chair.

Roll call showed all members present except Senators Shippy and Toews, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 30, 2026

The JUDICIARY AND RULES Committee reports that [S 1396](#) has been correctly enrolled.

LAKEY, Chairman

The President Pro Tempore signed Enrolled [S 1396](#) and ordered it transmitted to the House for the signature of the Speaker.

Senator Toews was recorded present at this order of business.

March 30, 2026

The JUDICIARY AND RULES Committee reports that Enrolled [S 1270](#), as amended, [S 1335](#), as amended, [S 1299](#), as amended, [S 1376](#), [S 1416](#), [S 1417](#), [S 1294](#), as amended, [S 1297](#), as amended, [S 1352](#), as amended, [S 1354](#), as amended, [S 1412](#), [S 1236](#), and [S 1320](#) were delivered to the Office of the Governor at 2 p.m., March 30, 2026.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 30, 2026

Dear Mr. President:

I return herewith Enrolled [S 1426](#) and [S 1427](#), which have been signed by the Speaker.

MCGINNIS, Chief Clerk

Enrolled [S 1426](#) and [S 1427](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Den Hartog, granted by unanimous consent, [SCR 127](#) was placed before the Senate for final consideration at this time.

Senator Shippy was recorded present at this order of business.

President Bedke returned to the Chair.

The President announced that [SCR 127](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Toews, seconded by Senator Harris, [SCR 127](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Harris to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Harris, Chairman of the Committee of the Whole, reported out [H 670](#), [H 516](#), [S 1336](#), [H 897](#), and [S 1442](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 670

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 42; delete page 2; on page 3, delete lines 1 through 47, and insert:

"SECTION 1. That Section 63-301A, Idaho Code, be, and the same is hereby amended to read as follows:

63-301A. NEW CONSTRUCTION ROLL. (1) The county assessor shall prepare a new construction roll, which shall be in addition to the property roll, which new construction roll shall show:

- (a) The name of the taxpayer;
- (b) The description of the new construction, suitably detailed to meet the requirements of the individual county;
- (c) The amount of taxable market value added to the property on the current year's property roll that is directly the result of new construction;
- (d) The amount of taxable market value added as provided in subsection (3)(f) of this section as a result of dissolution of any revenue allocation area; and
- (e) The amount of taxable market value to be deducted to reflect the adjustments required in this paragraph:

- (i) Any board of tax appeals or court-ordered value change, if property has a taxable value lower than that shown on any new construction roll in any one (1) of the immediate five (5) tax years preceding the current tax year;

- (ii) Any reduction in value resulting from correction of value improperly included on any previous new construction roll as a result of double or otherwise erroneous assessment;

- (iii) Any reduction in value resulting from the exemption provided in section 63-602W(4), Idaho Code, in any one (1) of the immediate five (5) tax years preceding the current tax year; and

- (iv) Any voluntary reduction in value reflecting a portion of certain homestead exemptions as provided in section 63-602G(10), Idaho Code.

- (2) As soon as possible, but in any event by no later than the first Monday in June, the new construction roll shall be certified to the county auditor and a listing showing the amount of value on the new construction roll in each taxing district or unit shall be forwarded to the state tax commission on or before the fourth Monday in July. Provided however, the value shown in subsection (3)(e) of this section shall be reported to the appropriate county auditor by the state tax commission by the third Monday in July and the value sent by the county auditor to each taxing district. The value established pursuant to subsection (3)(e) of this section is subject to correction by the state tax commission until the first Monday in September, and any such corrections shall be sent to the appropriate county auditor, who shall notify any affected taxing districts.

- (3) Except as otherwise provided in this subsection, the value shown on the new construction roll shall include ~~ninety percent~~ (90%) of the taxable market value increase from:

- (a) Construction of any new structure that previously did not exist, once it is completed and taxable;
- (b) Additions or alterations to existing nonresidential structures;
- (c) Installation of new or used manufactured housing that did not previously exist within the county;
- (d) Property newly taxable as a result of loss of the exemption provided by section 63-602W(3) or (4), Idaho Code;
- (e) The construction of any improvement or installation of any equipment used for or in conjunction with the generation

of electricity and the addition of any improvement or equipment intended to be so used, except property that has a value allocated or apportioned pursuant to section 63-405, Idaho Code, or that is owned by a cooperative or municipality as those terms are defined in section 61-332A, Idaho Code, or that is owned by a public utility as that term is defined in section 61-332A, Idaho Code, owning any other property that is allocated or apportioned. No replacement equipment or improvements may be included;

(f) Provided such increases do not include increases already reported on the new construction roll as permitted in paragraphs (i) and (j) of this subsection, increases in value over the base value of property on the base assessment roll within an urban renewal revenue allocation area that has been terminated pursuant to section 50-2914, Idaho Code, to the extent that this increment exceeds the incremental value as of December 31, 2006, or, for revenue allocation areas formed after December 31, 2006, eighty percent (80%) of the increment value. Notwithstanding other provisions of this section, the new construction roll shall not include new construction located within an urban renewal district's revenue allocation area, except as provided in this paragraph or paragraph (k) of this subsection;

(g) New construction, in any one (1) of the immediate five (5) tax years preceding the current tax year, allowable but never included on a new construction roll, provided however, that for such property the value on the new construction roll shall reflect the taxable value that would have been included on the new construction roll for the first year in which the property should have been included;

(h) Formerly exempt improvements on state college-owned or state university-owned land for student dining, housing, or other education-related purposes approved by the state board of education and board of regents of the university of Idaho as proper for the operation of such state college or university, provided such improvements were never included on any previous new construction roll;

(i) Increases in base value when due to previously determined increment value added to the base value as required in sections 50-2903 and 50-2903A, Idaho Code, due to a modification of the urban renewal plan. In this case, the amount added to the new construction roll will equal eighty percent (80%) of the amount by which the increment value in the year immediately preceding the year in which the base value adjustment described in this subsection occurs exceeds the incremental value as of December 31, 2006, or, for revenue allocation areas formed after December 31, 2006, the entire increment value; and

(j) Increases in base value when due to previously determined increment value added to the base value as a result of a de-annexation within a revenue allocation area as defined in section 50-2903, Idaho Code. In this case, the amount added to the new construction roll will equal eighty percent (80%) of the amount by which the increment value in the year immediately preceding the year in which the de-annexation described in this subsection occurs exceeds the incremental value as of December 31, 2006, or, for revenue allocation areas formed after December 31, 2006, the entire increment value within the area subject to the de-annexation.

(k) In the case of a fire protection district or ambulance service district that encompasses all or part of any urban renewal revenue allocation area that such district withdrew from pursuant to section 50-2906(5), Idaho Code, eighty percent (80%) of the increment value may be included on

the new construction roll for the year in which the district withdrew from such urban renewal revenue allocation area. Each year thereafter, ~~ninety percent (90%)~~ of the taxable value of otherwise qualifying new construction shall be included in the new construction roll for such fire protection district or ambulance service district, even if such new construction would not otherwise qualify because it was located within a revenue allocation area.

(4) The amount of taxable market value of new construction shall be the change in net taxable market value that is attributable directly to the new construction or loss of the exemption provided by section 63-602W(3) or (4), Idaho Code. It shall not include any change in value of existing property that is due to external market forces such as general or localized inflation, except as provided in subsection (3)(f) of this section.

(5) The amount of taxable market value of new construction shall not include any new construction of property that has been granted a provisional property tax exemption, pursuant to section 63-1305C, Idaho Code. A property owner may apply to the board of county commissioners, if an application is required pursuant to section 63-602, Idaho Code, for an exemption from property tax at the time the initial building permits are applied for or at the time construction of the property has begun, whichever is earlier, or at any time thereafter.

(6) The amount of taxable market value of new construction shall not include any new construction of property for which an exemption from sales and use tax has been granted pursuant to section 63-3622VV, Idaho Code.

SECTION 2. That Section 63-802, Idaho Code, be, and the same is hereby amended to read as follows:

63-802. LIMITATION ON BUDGET REQUESTS – LIMITATION ON TAX CHARGES – EXCEPTIONS. (1) Except as otherwise provided in this section, no taxing district shall certify a budget request for an amount of property tax revenues to finance an annual budget that exceeds the maximum sum permitted under this section:

(a)(i) ~~The highest dollar amount of property taxes certified for its annual budget for any one (1) of the three (3) tax years preceding the current tax year, which amount may be increased by a growth factor of not to exceed three percent (3%) plus the amount of revenue calculated as described in this subsection. The taxing district shall determine what portion of the three percent (3%) increase permitted under this subparagraph that it requires and then calculate a preliminary levy rate based on the percent chosen. In calculating the preliminary levy rate, the most current taxable market value shall be used, except that for taxable market values of centrally assessed operating property, the prior year's valuation may be used instead of the current year's taxable market values. The preliminary previous year's levy rate shall be multiplied by the value shown on the new construction roll compiled pursuant to section 63-301A, Idaho Code, and by ~~ninety percent (90%)~~ of the value of annexation during the previous calendar year, as certified by the state tax commission for taxable market values of operating property of public utilities and by the county assessor, except for a fire protection district annexing property prior to July 1, 2021, pursuant to section 31-1429, Idaho Code, the new levy rate shall be multiplied by one hundred percent (100%) of the value of any such property annexed prior to July 1, 2021.~~

(ii) ~~The following provisions shall apply in calculating the total allowable budget increase calculated under this~~

paragraph ~~must not exceed eight percent (8%), except that any:~~

1. For cities or counties with a population of fewer than ten thousand (10,000) people, as shown in the most recent annual population estimate reported by the United States census bureau, the total budget increase calculated under this paragraph shall not be subject to any limitation;

2. For cities or counties with a population of at least ten thousand (10,000) people but less than thirty thousand (30,000) people, as shown in the most recent annual population estimate reported by the United States census bureau, and all other taxing districts, the total budget increase calculated under this paragraph shall not exceed fifteen percent (15%);

3. For cities or counties with a population of thirty thousand (30,000) people or greater, as shown in the most recent annual population estimate reported by the United States census bureau, the total budget increase calculated under this paragraph shall not exceed eight percent (8%); and

4. Any increase in the amount of property tax revenue to finance an annual budget added as a result of the termination, deannexation, plan modification of, or the withdrawal of certain taxing districts from, a revenue allocation area of an urban renewal district pursuant to section 63-301A(3)(f), (i), (j), or (k), Idaho Code, or section 50-2908(1)(g), Idaho Code, shall not be subject to such limitation.

(iii) Following the first year in which a fire protection district has annexed city property pursuant to section 31-1429, Idaho Code, the city shall subtract an amount equal to the moneys spent on fire protection services during the last full year the city provided fire protection services to its residents from its budget limitation under this section.

(b) If the taxing district has not imposed a levy for three (3) or more years, the highest dollar amount of property taxes certified for its annual budget for the purpose of paragraph (a)(i) of this subsection shall be the dollar amount of property taxes certified for its annual budget during the last year in which a levy was made.

(c) The dollar amount of the actual budget request may be substituted for the amount in paragraph (a) of this subsection if the taxing district is newly created, except as may be provided in paragraph (i) of this subsection.

(d) This section does not apply to school district levies imposed in section 33-802, Idaho Code.

(e)(i) In the case of a nonschool district for which less than the maximum allowable increase in the dollar amount of property taxes is certified for annual budget purposes in any one (1) year, such a district may, in any following year, recover the forgone increase by certifying, in addition to any increase otherwise allowed,

any or all of the increase originally forgone. Provided however, that prior to budgeting any forgone increase, the district must provide notice of its intent to do so, hold a public hearing that may be in conjunction with its annual budget hearing, and certify by resolution the amount of forgone increase to be budgeted and the specific purpose for which the forgone increase is being budgeted. Upon adoption of the resolution, the clerk of the district shall file a copy of the resolution with the county clerk and the state tax commission. Said additional amount shall be included in future calculations for increases as allowed, except as provided in subparagraph (iii) of this paragraph.

(ii) If the forgone increase is budgeted for the purpose of maintenance and operations, the rate of recovering the reserved forgone moneys may increase the taxing district's budget by no more than one percent (1%) per year.

(iii) If the forgone increase is budgeted for a capital project or projects, the rate of recovering the reserved forgone moneys may not exceed three percent (3%) of the taxing district's budget for the year in which the forgone increase is budgeted. Forgone moneys budgeted for a capital project must be deducted from the taxing district's forgone balance in the year in which it is budgeted. Upon completion of such a capital project, the taxing district shall certify such completion to the state tax commission and county clerk. If, upon certification, the state tax commission finds that the taxing district included forgone moneys for a capital project in calculating the increase permitted under paragraph (a) of this subsection, the state tax commission shall direct the taxing district to reduce its property tax budget for any year in which the forgone moneys were used to calculate a budget increase, in an amount equal to the forgone moneys budgeted plus any increases attributed to the forgone moneys improperly included in the taxing district's property tax budget. For the purpose of this paragraph, a capital project includes:

1. The construction, expansion, renovation, or replacement of public facilities, including the acquisition of land and other site improvements;
2. The construction, expansion, or reconstruction of public works improvements, including roads, bridges, water systems, sewer systems, and broadband systems; and
3. The purchase of equipment with a useful life of ten (10) years or more.

(f) If a taxing district elects to budget less than the maximum allowable increase in the dollar amount of property taxes, the taxing district may reserve the right to recover all or any portion of that year's forgone increase in a subsequent year by adoption of a resolution specifying the dollar amount of property taxes being reserved. Otherwise, that year's forgone increase may not be recovered under paragraph (e) of this subsection. The district must provide notice of its intent to do so and hold a public hearing that may be in conjunction with its annual budget hearing, if applicable. The resolution to reserve the right to recover the forgone increase for that year shall be adopted at the annual budget hearing of the taxing district if the district has a budget hearing requirement.

(g) In the case of cities, if the immediately preceding year's levy subject to the limitation provided by this section

is less than 0.004, the city may increase its budget by an amount not to exceed the difference between 0.004 and the actual prior year's levy multiplied by the prior year's market value for assessment purposes. The additional amount must be approved by sixty percent (60%) of the voters voting on the question at an election called for that purpose and held on the date in May or November provided by law and may be included in the annual budget of the city for purposes of this section.

(h) A taxing district may submit to the electors within the district the question of whether the budget from property tax revenues may be increased beyond the amount authorized in this section, but not beyond the levy authorized by statute. The additional amount must be approved by sixty-six and two-thirds percent (66 2/3%) or more of the voters voting on the question at an election called for that purpose and held on the May or November dates provided by section 34-106, Idaho Code. If approved by the required minimum sixty-six and two-thirds percent (66 2/3%) of the voters voting at the election, the new budget amount shall be the base budget for the purposes of this section.

(i) When a nonschool district consolidates with another nonschool district or dissolves and a new district performing similar governmental functions as the dissolved district forms with the same boundaries within three (3) years, the maximum amount of a budget of the district from property tax revenues shall not be greater than the sum of the amounts that would have been authorized by this section for the district itself or for the districts that were consolidated or dissolved and incorporated into a new district.

(j) This section does not apply to cooperative service agency levies imposed in sections 33-317 and 33-317A, Idaho Code.

(k) The amount of money received in the twelve (12) months immediately preceding June 30 of the current tax year as a result of distributions of the tax provided in section 63-3502B(2), Idaho Code.

(2) In the case of fire districts, during the year immediately following the election of a public utility or public utilities to consent to be provided fire protection pursuant to section 31-1425, Idaho Code, the maximum amount of property tax revenues permitted in subsection (1) of this section may be increased by an amount equal to the current year's taxable value of the consenting public utility or public utilities multiplied by that portion of the prior year's levy subject to the limitation provided by subsection (1) of this section.

(3) No board of county commissioners shall set a levy, nor shall the state tax commission approve a levy for annual budget purposes, which exceeds the limitation imposed in subsection (1) of this section unless authority to exceed such limitation has been approved by a majority of the taxing district's electors voting on the question at an election called for that purpose and held pursuant to section 34-106, Idaho Code, provided however, that such voter approval shall be for a period of not to exceed two (2) years.

(4) The amount of property tax revenues to finance an annual budget does not include revenues from nonproperty tax sources and does not include revenue from levies for the payment of judicially confirmed obligations pursuant to sections 63-1315 and 63-1316, Idaho Code, and revenue from levies that are voter-approved for bonds, override levies or supplemental levies, plant facilities reserve fund levies, school emergency fund levies, or for levies applicable to newly annexed property or for levies applicable to new construction as evidenced by the value of property subject to the occupancy tax pursuant to section 63-317, Idaho Code, for the preceding tax year. The

amount of property tax revenues to finance an annual budget does not include any property taxes that were collected and refunded on property that is exempt from taxation, pursuant to section 63-1305C, Idaho Code.

(5) The amount of property tax revenues to finance an annual budget shall include moneys received as recovery of property tax for a revoked provisional property tax exemption under section 63-1305C, Idaho Code.

(6) For tax year 2023, before calculating the amount required in subsection (1)(a)(i) of this section, the board of county commissioners shall reduce the approved property tax levy portion of its budget for the immediate prior three (3) years in an amount equal to the amount levied for indigent public defense. The reduced budget amount shall be the base budget for the purpose of subsection (1)(a)(i) of this section.

SECTION 3. That Section 50-2903, Idaho Code, be, and the same is hereby amended to read as follows:

50-2903. DEFINITIONS. The following terms used in this chapter shall have the following meanings, unless the context otherwise requires:

(1) "Act" or "this act" means this revenue allocation act.

(2) "Agency" or "urban renewal agency" means a public body created pursuant to section 50-2006, Idaho Code.

(3) "Authorized municipality" or "municipality" means any county or incorporated city that has established an urban renewal agency or by ordinance has identified and created a competitively disadvantaged border community.

(4) Except as provided in section 50-2903A, Idaho Code, "base assessment roll" means the equalized assessment rolls, for all classes of taxable property, on January 1 of the year in which the local governing body of an authorized municipality passes an ordinance adopting or modifying an urban renewal plan containing a revenue allocation financing provision, except that the base assessment roll shall be adjusted as follows: the equalized assessment valuation of the taxable property in a revenue allocation area as shown upon the base assessment roll shall be reduced by the amount by which the equalized assessed valuation as shown on the base assessment roll exceeds the current equalized assessed valuation of any taxable property located in the revenue allocation area and by the equalized assessed valuation of taxable property in such revenue allocation area that becomes exempt from taxation subsequent to the date of the base assessment roll. The equalized assessed valuation of the taxable property in a revenue allocation area as shown on the base assessment roll shall be increased by the equalized assessed valuation, as of the date of the base assessment roll, of taxable property in such revenue allocation area that becomes taxable after the date of the base assessment roll. Any increase in valuation due to property owned, leased, or used in the operation of a business entity that makes capital investments in one (1) or more data centers, as defined in section 63-3622VV(2)(f), Idaho Code, after July 1, 2020, in amounts of at least two hundred fifty million dollars (\$250,000,000) in the aggregate within the first five (5) years after commencement of construction, that creates and maintains at least thirty (30) new jobs at the data center within two (2) calendar years after the commencement of operations, and that is located in a revenue allocation area for which no bonds have been issued pursuant to section 50-2909, Idaho Code, as of March 16, 2023, shall be added to the base assessment roll in the current tax year. An urban renewal plan containing a revenue allocation financing provision adopted or modified prior to July 1, 2016, is not subject to section 50-2903A, Idaho Code. For plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban

renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.

(5) "Budget" means an annual estimate of revenues and expenses for the following fiscal year of the agency. An agency shall, by September 1 of each calendar year, adopt and publish, as described in section 50-1002, Idaho Code, a budget for the next fiscal year. An agency may amend its adopted budget using the same procedures as used for adoption of the budget. For the fiscal year that immediately predates the termination date for an urban renewal plan involving a revenue allocation area or will include the termination date, the agency shall adopt and publish a budget specifically for the projected revenues and expenses of the plan and make a determination as to whether the revenue allocation area can be terminated before the January 1 of the termination year pursuant to the terms of section 50-2909(4), Idaho Code. In the event that the agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by September 1 the agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the state tax commission and recommending the adoption of an ordinance for termination of the revenue allocation area by December 31 of the current year and declaring a surplus to be distributed as described in section 50-2909, Idaho Code, should a surplus be determined to exist. The agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho state tax commission as provided in section 63-215, Idaho Code. Upon notification of revenues sufficient to cover expenses as provided herein, the increment value of that revenue allocation area shall be included in the net taxable value of the appropriate taxing districts when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code.

(6) "Clerk" means the clerk of the municipality.

(7) "Competitively disadvantaged border community area" means a parcel of land consisting of at least forty (40) acres that is situated within the jurisdiction of a county or an incorporated city and within twenty-five (25) miles of a state or international border, which the governing body of such county or incorporated city has determined by ordinance is disadvantaged in its ability to attract business, private investment, or commercial development as a result of a competitive advantage in the adjacent state or nation resulting from inequities or disparities in comparative sales taxes, income taxes, property taxes, population or unique geographic features.

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions that endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration

of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions that endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) Deteriorated area does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Facilities" means land, rights in land, buildings, structures, machinery, landscaping, extension of utility services, approaches, roadways and parking, handling and storage areas, and similar auxiliary and related facilities.

(10) "Increment value" means the total value calculated by summing the differences between the current equalized value of each taxable property in the revenue allocation area and that property's current base value on the base assessment roll, provided such difference is a positive value.

(11) "Local governing body" means the city council or board of county commissioners of a municipality.

(12) "Manufacturing project" means a manufacturing or industrial project and ancillary uses that manufactures, processes, or fabricates tangible personal property as defined in section 63-3616, Idaho Code.

(13) "Plan" or "urban renewal plan" means a plan, as it exists or may from time to time be amended, prepared and approved pursuant to sections 50-2008 and 50-2905, Idaho Code, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.

(14) "Project" or "urban renewal project" or "competitively disadvantaged border areas" may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

- (a) Acquisition of a deteriorated area or a deteriorating area or portion thereof;
- (b) Demolition and removal of buildings and improvement;
- (c) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, open space, off-street parking facilities, public facilities, public recreation and entertainment facilities or buildings and other improvements necessary for carrying out, in the urban renewal area or competitively disadvantaged border community area, the urban renewal objectives of this act in accordance with the urban renewal plan or the competitively disadvantaged border community area ordinance.
- (d) Disposition of any property acquired in the urban renewal area or the competitively disadvantaged border community area, including sale, initial leasing, or retention by the agency itself, or the municipality creating the competitively disadvantaged border community area at its fair value for uses in accordance with the urban renewal plan except for disposition of property to another public body;
- (e) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;
- (f) Acquisition of real property in the urban renewal area or the competitively disadvantaged border community area that, under the urban renewal plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;
- (g) Acquisition of any other real property in the urban renewal area or competitively disadvantaged border community area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration, or to provide land for needed public facilities or where necessary to accomplish the purposes for which a competitively disadvantaged border community area was created by ordinance;
- (h) Lending or investing federal funds; and
- (i) Construction of foundations, platforms and other like structural forms; and
- (j) Acquisition, construction, rehabilitation, or improvement of buildings, facilities, or infrastructure related to providing emergency services.
- (15) "Project costs" includes, but is not limited to:
- (a) Capital costs, including the actual costs of the construction of public works or improvements, facilities, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; and the clearing and grading of land;
- (b) Financing costs, including interest during construction and capitalized debt service or repair and replacement or other appropriate reserves;
- (c) Real property assembly costs, meaning any deficit incurred from the sale or lease by a municipality of real or personal property within a revenue allocation district;
- (d) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;
- (e) Direct administrative costs, including reasonable charges for the time spent by city or county employees in connection with the implementation of a project plan;
- (f) Relocation costs; and

(g) Costs related to emergency services, including equipment, vehicles, apparatus, or other items necessary to provide emergency services within a revenue allocation area and maintenance costs for such items; and

~~(g)~~ (h) Other costs incidental to any of the foregoing costs.

(16) "Revenue allocation area" means that portion of an urban renewal area or competitively disadvantaged border community area where the equalized assessed valuation, as shown by the taxable property assessment rolls, of which the local governing body has determined, on and as a part of an urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project or competitively disadvantaged border community area. The base assessment roll or rolls of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.

(17) "State" means the state of Idaho.

(18) "Tax" or "taxes" means all property tax levies upon taxable property.

(19) "Taxable property" means taxable real property, personal property, operating property, or any other tangible or intangible property included on the equalized assessment rolls.

(20) "Taxing district" means a taxing district as defined in section 63-201, Idaho Code, as that section now exists or may hereafter be amended.

(21) "Termination date" means a specific date no later than twenty (20) years from the effective date of an urban renewal plan or as described in section 50-2904, Idaho Code, on which date the plan shall terminate. Every urban renewal plan shall have a termination date that can be modified or extended subject to the twenty (20) year maximum limitation, except as provided in section 50-2904(5), Idaho Code. Provided however, the duration of a revenue allocation financing provision may be extended as provided in section 50-2904, Idaho Code."; and renumber the subsequent section accordingly.

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:

"RELATING TO REVENUE AND TAXATION; AMENDING SECTION 63-301A, IDAHO CODE, TO REVISE A PROVISION REGARDING THE NEW CONSTRUCTION ROLL; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LIMITATION ON BUDGET REQUESTS AND EXCEPTIONS; AMENDING SECTION 50-2903, IDAHO CODE, TO REVISE DEFINITIONS; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO H 516

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 41; and delete pages 2 and 3, and insert:

"SECTION 1. That Section 33-1271, Idaho Code, be, and the same is hereby amended to read as follows:

33-1271. SCHOOL DISTRICTS – PROFESSIONAL EMPLOYEES – NEGOTIATION AGREEMENTS. (1) The board of trustees of each school district, including specially chartered districts, or the designated ~~representative(s)~~ representatives of such district, is hereby empowered to and shall, upon its own initiative or upon the request of a local education organization representing a majority of the professional employees, enter into a negotiation agreement with the local education organization or the designated ~~representative(s)~~ representatives of such organization.

(4) (2) The parties to such negotiations shall negotiate in good faith on those matters specified in any such negotiation agreement between the local board of trustees and the local education organization, unless otherwise prohibited by section 33-1275, Idaho Code, or any other applicable law.

(2) (3) A request for negotiations may be initiated by either party to such negotiation agreement.

(3) (4) Upon either party making a request for negotiations, the local education organization, upon board request, shall provide to the district written evidence establishing that the local education organization represents fifty percent (50%) plus one (1) of the professional employees for negotiations. If requested by the board, the local education organization shall establish this representative status on an annual basis, prior to the commencement of negotiations. In order to establish a local education organization's representative status, a local education organization must show that within the last two (2) years, fifty percent (50%) plus one (1) of the professional employees, as defined in section 33-1272, Idaho Code, indicated agreement to be represented by the local education organization for negotiation purposes. Evidence of fifty percent (50%) plus one (1) inconsistent with this provision shall not be counted in the establishment of representative status.

(4) (5) Accurate records or minutes of the proceedings shall be kept and shall be available for public inspection at the office of the affected school district during normal business hours.

(5) (6) Joint ratification of all final offers of settlement shall be made in open meetings. Each party must provide written evidence confirming to the other that majority ratification has occurred.

SECTION 2. That Section 33-1272, Idaho Code, be, and the same is hereby amended to read as follows:

33-1272. DEFINITIONS. As used in this act:

(1) "Affiliate" means:

(a) Any organization subject to the constitution, bylaws, or similar governing documents of a teachers union;

(b) Any organization with a constitution, bylaws, or similar governing documents that a teachers union is subject to;

(c) Any organization that receives a regular portion of the dues or fees collected by a teachers union from its members pursuant to the constitution, bylaws, or similar governing documents of such organization or the teachers union; or

(d) A political committee or political organization controlled by a teachers union.

(1) ~~"Professional employee" means any certificated employee of a school district, including charter districts; provided however, that administrative personnel including superintendents, supervisors or principals are excluded from the professional employee group for the purposes of negotiations.~~

(2) "Local education organization" or "teachers union" means any local district organization duly chosen and selected by fifty percent (50%) plus one (1) of the professional employees, excluding administrative personnel as addressed in this section, as their representative organization for negotiations under this act, as well as any organization seeking such status.

(3) "Negotiations" means publicly meeting and conferring in good faith by a local board of trustees and the authorized local education organization, or the respective designated representatives of both parties for the purpose of reaching an agreement, upon matters and conditions subject to negotiations as specified in a negotiation agreement between said parties and not otherwise prohibited by section 33-1275, Idaho Code, or any other applicable law.

(4) "Professional employee" means any certificated employee of a school district, including charter districts; provided however, that administrative personnel including superintendents, supervisors or principals are excluded from the professional employee group for the purposes of negotiations.

(5) "Representational activities" means the activities specified in paragraphs (i) through (m) of subsection (6) of this section.

(6) "Teachers union activities" means any of the following activities undertaken at the direction of, on behalf of, or to advance the purposes of a teachers union or its affiliate:

(a) Supporting or opposing any candidate for federal, state, or local public office;

(b) Influencing the passage or defeat of any federal or state legislation, federal or state regulation, local ordinance, or any ballot measure;

(c) Promoting or soliciting membership or participation in, or financial support of, a teachers union or its affiliate;

(d) Seeking to become the exclusive representative of all professional employees in a school district;

(e) Participating in the administration, business, or internal governance of a teachers union or its affiliate;

(f) Preparing, conducting, or attending teachers union or affiliate events, conferences, conventions, meetings, or trainings, unless such training is directly related to the performance of professional employees' job duties;

(g) Distributing teachers union or affiliate communications;

(h) Representing or speaking on behalf of a teachers union or its affiliate in any setting, venue, or procedure in which the school district is not a participant;

(i) Preparing, filing, or pursuing grievances;

(j) Representing professional employees in investigatory interviews, disciplinary proceedings or appeals up to and including termination, or other administrative or legal proceedings;

(k) Engaging in negotiations and any related mediation;

(l) Administering a negotiation agreement; or

(m) Participating in labor-management committees.

For the purposes of this section, "good faith" means honesty, fairness and lawfulness of purpose with the absence of any intent to defraud, act maliciously or take unfair advantage or the observance of reasonable standards of fair dealing.

SECTION 3. That Section 33-1275, Idaho Code, be, and the same is hereby amended to read as follows:

33-1275. TERMS OF AGREEMENTS. (1) All agreements, by any name or title, entered into pursuant to the provisions of this act, shall have a one (1) year duration of July 1 through June 30 of the ensuing fiscal year. The parties shall not have the authority to enter into any agreement negotiated under the provisions of this act that has any term that allows for such agreement or any provision of such agreement to be in any force or effect for multiple years or indefinitely, or otherwise does not expire on its own terms on or before June 30 of the ensuing fiscal year.

(2) Notwithstanding the provisions of subsection (1) of this section, upon mutual ratification, any item other than compensation and benefits as defined in subsection (3) of this section of any agreement entered into pursuant to this act may have a nonrolling two (2) year duration with a designated start date and end date. A second year term for any item not defined in subsection (3) of this section cannot be added, automatically or by mutual consent, back into the agreement after the expiration

of the first year but rather may be addressed by the parties at the expiration of the end date of the two (2) year term.

(3) For purposes of this section, "compensation" means salary and benefits for professional employees. "Benefits" means employee insurance, leave time and sick leave benefits.

(4) No agreement by any name or title that is entered into pursuant to the provisions of this section or otherwise may require or permit a school district, including specially chartered districts, to use taxpayer funds to promote a teachers union or its affiliate in a manner prohibited by section 33-1277, Idaho Code. Any provision of an agreement in violation of this subsection shall be null and void, contrary to public policy, and of no legal force or effect.

SECTION 4. That Chapter 12, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1277, Idaho Code, and to read as follows:

33-1277. TAXPAYER FUNDING OF TEACHERS UNIONS PROHIBITED. (1) No school district, including a specially chartered district, or its agents or representatives, may use or authorize the use of taxpayer funds to support teachers unions by:

- (a) Deducting dues, fees, assessments, fines, or contributions from the pay of a professional employee on behalf of a teachers union or its affiliate;
- (b) Increasing a professional employee's compensation with the intent that the additional compensation, or a part of it, be used to pay teachers union or affiliate dues, fees, assessments, fines, or contributions;
- (c) Providing more personal or contact information of a professional employee to a teachers union or its affiliate than the school district is required to disclose pursuant to chapter 1, title 74, Idaho Code, unless the school district receives written authorization from the professional employee to disclose additional information;
- (d) Requiring or coercing a professional employee to meet, communicate, listen to, or otherwise interact with a teachers union or its affiliate;
- (e) Distributing communications or membership solicitations on behalf of a teachers union or its affiliate;
- (f) Contributing funds to, or expending funds on behalf of, a teachers union or its affiliate; or
- (g) Except as provided by sections 33-1216 and 33-1279, Idaho Code, and except as otherwise provided by this section, providing any form of compensation or paid leave to a public employee, directly or indirectly, for the purpose of engaging in teachers union activities.

(2) If provided by a negotiated agreement between a school district, including a specially chartered district, and a teachers union:

- (a) A professional employee may be granted time off without pay or benefits to engage in teachers union activities, and a teachers union may compensate a professional employee for engaging in teachers union activities.
- (b) A professional employee may use compensated personal leave, whether the professional employee's own leave or leave voluntarily donated by other professional employees, to engage in teachers union activities if:
 - (i) The leave is accrued at the same rate by similarly situated professional employees of the school district without regard to membership or participation in a teachers union; and
 - (ii) The professional employee may freely choose how to use the leave.

(c) A professional employee may engage in representational activities while in a duty status without loss of pay or benefits if:

- (i) The teachers union reports to the school district no less than twice per year the amount of time, in increments rounded to the nearest quarter of an hour, spent on representational activities each day by each professional employee engaged in representational activities;
- (ii) The school district calculates the pro rata value of compensation, including wages and benefits, paid or accruing to a professional employee for time spent engaged in representational activities and provides an invoice to the teachers union no less than twice per year for the amounts so calculated; and
- (iii) Upon receipt of the invoice from the school district, the teachers union remits full payment to the school district within thirty (30) days.

(3)(a) A person who violates the provisions of this section shall be subject to a civil penalty not to exceed two hundred fifty dollars (\$250).

(b) A person who knowingly violates the provisions of this section shall be subject to a civil penalty not to exceed one thousand five hundred dollars (\$1,500).

(c) A person who knowingly violates the provisions of this section and who has previously admitted to committing or has been previously determined to have committed a violation pursuant to this subsection shall be subject to a civil penalty not to exceed two thousand five hundred dollars (\$2,500).

(4) The attorney general or appropriate county prosecutor may investigate complaints regarding violations of this section and shall ensure the effective enforcement of this section.

SECTION 5. That Section 33-513, Idaho Code, be, and the same is hereby amended to read as follows:

33-513. PROFESSIONAL PERSONNEL. The board of trustees of each school district, including any specially chartered district, shall have the following powers and duties:

± (1) To employ professional personnel, on written contract in a form approved by the state superintendent of public instruction, conditioned ~~upon~~ on a valid certificate being held by such professional personnel at the time of entering upon the duties thereunder. Should the board of trustees fail to enter into written contract for the employment of any such person, the state superintendent of public instruction shall withhold ensuing apportionments until such written contract ~~be~~ is entered into. When the board of trustees has delivered a proposed contract for the next ensuing year to any such person, such person shall have a period of time to be determined by the board of trustees in its discretion, but in no event less than ten (10) calendar days from the date the contract is delivered, in which to sign the contract and return it to the board. If the board of trustees does not make a determination as to how long the person has to sign and return the contract, the default time limit shall be twenty-one (21) calendar days after the contract is delivered to the person. Delivery of a contract may be made only in person or by certified mail, return receipt requested or electronically, return receipt requested. When delivery is made in person, delivery of the contract must be acknowledged by a signed receipt. When delivery is made by certified mail or electronically, delivery must be acknowledged by the return of the certified mail receipt or return electronic receipt from the person to whom the contract was sent. If the delivery is made electronically, with return electronic receipt, and the district has not received a return of a

signed contract and has not received an electronic read receipt from the employee, the district shall then resend the original electronically delivered contract to the employee via certified mail, return receipt requested, and provide such individual with a new date for contract return. Should the person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the board in the designated period of time or if no designated period of time is set by the board, the default time, the board or its designee may declare the position vacant.

(a) The board of trustees shall withhold the salary of any teacher who does not hold a teaching certificate valid in this state. It shall not contract to require any teacher to make up time spent in attending any meeting called by the state board of education or by the state superintendent of public instruction; ~~nor while attending regularly scheduled official meetings of the state teachers association.~~

(b) No contract shall be issued for the next ensuing year until such time as the employee's formal written performance evaluation has been completed.

(c) If applicable student data relating to Idaho's standards achievement test has not been received by the district within thirty (30) days of the deadline to complete the formal written performance evaluation for district employees, the school district or charter school shall utilize one (1) of the other objective measures of growth in student achievement as determined by the board of trustees or governing board, not including Idaho's standards achievement test, in order to complete the required student achievement component of performance evaluations.

~~2-~~ (2) In the case of school districts other than elementary school districts, to employ a superintendent of schools for a term not to exceed three (3) years, who shall be the executive officer of the board of trustees with such powers and duties as the board may prescribe. The superintendent shall also act as the authorized representative of the district whenever such is required, unless some other person shall be named by the board of trustees to act as its authorized representative. The board of trustees shall conduct an annual, written formal evaluation of the work of the superintendent of the district to be completed no later than June 1. The evaluation shall indicate the strengths and weaknesses of the superintendent's job performance in the year immediately preceding the evaluation and areas where improvement in the superintendent's job performance, in the view of the board of trustees, is called for.

~~3-~~ (3) To employ through written contract principals who shall hold a valid certificate appropriate to the position for which they are employed, who shall supervise the operation and management of the school in accordance with the policies established by the board of trustees and who shall be under the supervision of the superintendent.

4. (4) To employ assistant superintendents and principals for a term not to exceed two (2) years. Service performed under such contract shall be included in meeting the provisions of section 33-515, Idaho Code, as a teacher and persons eligible for a renewable contract as a teacher shall retain such eligibility. The superintendent, the superintendent's designee, or in a school district that does not employ a superintendent, the board of trustees, shall conduct an annual, written evaluation of each such employee's performance to be completed no later than June 1.

~~5-~~ (5) To suspend, grant leave of absence, place on probation or discharge certificated professional personnel for a material violation of any lawful rules or regulations of the board of trustees or of the state board of education, or for any conduct ~~which that~~ could constitute grounds for revocation of a teaching certificate. Any certificated professional employee, except the

superintendent, may be discharged during a contract term under the following procedures:

(a) The superintendent or any other duly authorized administrative officer of the school district may recommend the discharge of any certificated employee by filing with the board of trustees written notice specifying the alleged reasons for discharge.

(b) Upon receipt of such notice, the board, acting through its duly authorized administrative official, shall give the affected employee written notice of the allegations and the recommendation of discharge, along with written notice of a hearing before the board prior to any determination by the board of the truth of the allegations.

(c) The hearing shall be scheduled to take place not less than six (6) days nor more than twenty-one (21) days after receipt of the notice by the employee. The date provided for the hearing may be changed by mutual consent.

(d) The hearing shall be public unless the employee requests in writing that it be in executive session.

(e) All testimony at the hearing shall be given under oath or affirmation. Any member of the board, or the clerk of the board, may administer oaths to witnesses or affirmations by witnesses.

(f) The employee may be represented by legal counsel and/or by a representative of a local or state teachers association.

(g) The chairman of the board or the designee of the chairman shall conduct the hearing.

(h) The board shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or stenotype notes of all the testimony at the hearing. A transcript of the hearing shall be provided at cost by the board upon request of the employee.

(i) At the hearing, the superintendent or other duly authorized administrative officer shall present evidence to substantiate the allegations contained in such notice.

(j) The employee may produce evidence to refute the allegations. Any witness presented by the superintendent or by the employee shall be subject to cross-examination. The board may also examine witnesses and be represented by counsel.

(k) The affected employee may file written briefs and arguments with the board within three (3) days after the close of the hearing or such other time as may be agreed ~~upon~~ on by the affected employee and the board.

(l) Within fifteen (15) days following the close of the hearing, the board shall determine and, acting through its duly authorized administrative official, shall notify the employee in writing whether the evidence presented at the hearing established the truth of the allegations and whether the employee is to be retained, immediately discharged, or discharged upon termination of the current contract.

(m) If the employee appeals the decision of the board of trustees to the district court, the district court may affirm the board's decision or set it aside and remand the matter to the board of trustees ~~upon~~ on the following grounds and shall not set the same aside for any other grounds:

(i) That the findings of fact are not based ~~upon~~ on any substantial, competent evidence;

(ii) That the board of trustees has acted without jurisdiction or in excess of its authority; or

(iii) That the findings by the board of trustees as a matter of law do not support the decision.

(n) The determination of the board of trustees shall be affirmed unless the court finds that the action of the board of trustees was:

- (i) In violation of constitutional or statutory provisions;
 - (ii) In excess of the statutory authority of the board;
 - (iii) Made upon an unlawful procedure; or
 - (iv) Arbitrary, capricious or an abuse of discretion.
- (o) Record augmentation on appeal:
- (i) If, before the date set for any hearing at the district court, application is made to the court for leave to present additional evidence and it is shown to the satisfaction of the court that the additional evidence is material, relates to the validity of the board action and that there was good cause for failure to present it in the proceeding before the board, then the court may remand the matter to the board with direction that the board receive additional evidence and conduct additional fact-finding;
 - (ii) Any party desiring to augment the transcript or record may file a motion in the same manner and pursuant to the same procedure for augmentation of the record in appeals to the supreme court; and
 - (iii) The board may modify its action by reason of the additional evidence and shall file any modifications, new findings or decisions with the reviewing court.

6. (6) To grant an employee's request for voluntary leave of absence. The board of trustees may delegate ongoing authority to grant an employee's request for voluntary leave of absence to the district's superintendent or other designee. Upon the superintendent or designee's granting of an employee's request for voluntary leave of absence, the board shall ratify or nullify the action at the next regularly scheduled board meeting.

7. (7) To delegate to the superintendent or other designee the ongoing authority to place any employee on a period of involuntary leave of absence should the superintendent or designee believe that such action is in the best interest of the district. Upon the superintendent or designee's action to place a certificated employee on a period of involuntary leave of absence, the board shall ratify or nullify the action of the superintendent or designee at the next regularly scheduled meeting of the board or at a special meeting of the board should the next regularly scheduled meeting of the board not be within a period of twenty-one (21) days from the date of the action.

(a) Where there is a criminal court order preventing the certificated employee from being in the presence of minors or students, preventing the employee from being in the presence of any other adult individual employed at the school or detaining the employee in prison or jail, the certificated employee's involuntary leave of absence shall be without pay due to the certificated employee's inability to perform the essential functions of the employee's position. Without such a condition or situation, the involuntary leave of absence shall be with pay.

(i) During the period of involuntary leave of absence without pay, the salary of the certificated employee will be maintained in a district-managed account. Should the certificated employee return to the district for active employment subsequent to the removal or dismissal of the court order, acquittal or adjudication of innocence, the district shall remit the salary funds, less the cost incurred by the district for the substitute hired to replace the certificated employee. Further, should the certificated employee return to the district under the provisions established in this subsection, the district shall arrange to have the certificated employee credited with the public employee retirement system of Idaho (PERSI) for the certificated employee's time away from work during the period of leave of absence.

(ii) During the period of involuntary leave of absence, the district shall continue to pay the district's portion of monthly costs associated with the certificated employee's health insurance benefits. The assumption of this payment by the district shall not alter the certificated employee's financial obligations, if any, under the policy.

(b) Should there be dual court orders preventing more than one (1) employee from being in the presence of one (1) or more other employees, all employees subject to the court order shall be excluded from the school pursuant to ~~subsection 7.(a) of this section~~ paragraph (a) of this subsection.

(c) If the period of involuntary leave of absence is due to the district's need to conduct an investigation into the conduct of the certificated employee, and there are no related criminal ~~investigation(s) and/or investigations~~ or criminal charges of any nature pending, the administration shall complete its investigation within a period of sixty (60) working days. On or before the sixtieth working day, the administrative leave shall either cease and the certificated employee shall be returned to his position of employment or the administration shall advance a personnel recommendation to the board of trustees. If a recommendation is advanced, the involuntary leave of absence shall continue until such time as the district board has made its decision in regard to the personnel recommendation with such decision effectively concluding the involuntary leave of absence. If a related criminal investigation is occurring ~~and/or~~ or criminal charges are pending, the district shall not be bound to any limitation as to the duration of involuntary leave of absence. The timelines established in this section may be waived or modified by mutual agreement.

SECTION 6. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 7. APPLICABILITY. The provisions of this act shall apply to all contracts entered into or amended on or after July 1, 2026, and shall apply to any renewal or extension of any existing contract on or after that date.

SECTION 8. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2026."

CORRECTION TO TITLE

On page 1, delete lines 2 through 4, and insert:
 "RELATING TO EDUCATION; AMENDING SECTION 33-1271, IDAHO CODE, TO REVISE PROVISIONS REGARDING SCHOOL DISTRICTS, PROFESSIONAL EMPLOYEES, AND NEGOTIATION AGREEMENTS; AMENDING SECTION 33-1272, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 33-1275, IDAHO CODE, TO PROHIBIT TAXPAYER FUNDING OF TEACHERS UNIONS; AMENDING CHAPTER 12, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1277, IDAHO CODE, TO PROHIBIT TAXPAYER FUNDING OF TEACHERS UNIONS; AMENDING SECTION 33-513, IDAHO CODE, TO REMOVE A PROVISION REGARDING ATTENDANCE AT CERTAIN MEETINGS OF THE STATE TEACHERS ASSOCIATION AND TO MAKE TECHNICAL

CORRECTIONS; PROVIDING SEVERABILITY; PROVIDING APPLICABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE."

SENATE AMENDMENT TO S 1336
AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 21 and 22, and insert:

"(2) All secondary pupils at an Idaho public school shall receive instruction that ensures upon graduation that such pupils";

and in line 34, following "ernment" insert: "and ordered liberty".

On page 2, in line 5, delete "for rulers men" and insert: "leaders"; in line 8, delete "concept of the"; in line 9, following "Reverence for the" insert: "republic's"; delete lines 12 and 13, and insert: "(x) The double security given to American liberties by the constitution's system of federalism and the value of the union as the source of"; in line 16, delete "vigilant and manly spirit" and insert: "vigilance and public-spiritedness"; and delete lines 23 through 37, and insert:

"(v) Patrick Henry's "Give Me Liberty or Give Me Death!";

(vi) Thomas Paine's "Common Sense";

(vii) The declaration of independence;

(viii) The articles of confederation;

(ix) The Virginia declaration of rights of 1776;

(x) The Massachusetts constitution of 1780;

(xi) The Rhode Island 1784 act for the abolition of slavery;

(xii) The Northwest ordinance;

(xiii) The Virginia statute for religious freedom;

(xiv) The United States constitution and the bill of rights;

(xv) The federalist papers;

(xvi) George Washington's letter to the Hebrew congregation;

(xvii) George Washington's farewell address;

(xviii) Thomas Jefferson's first inaugural address;

(xix) The Monroe doctrine;

(xx) Alexis de Tocqueville's "Democracy in America";

(xxi) The Lincoln-Douglass debates;

(xxii) The emancipation proclamation;

(xxiii) The Gettysburg address;

(xxiv) The constitution of the state of Idaho; and

(xxv) Other similar documents that are important to the history and heritage of the United States and Idaho.";

in line 40, delete "By the 2030-2031"; and delete lines 41 through 49.

On page 3, delete lines 1 and 2, and insert: "(4) American history coursework in all public schools shall include instruction on the American";

in line 22, delete "'e pluribus"; in line 23, delete "unum," and insert: "the great seal of the United States,"; delete lines 28 and 29, and insert: "constitution and the bill of rights,"; in line 31, delete "presidents." and insert: "presidents; and"; following line 31, insert:

"(j) How slavery is antithetical to the principles of the declaration of independence and the efforts during the American founding and early republic to abolish slavery,"; and delete lines 32 through 46, and insert: "(5) American history coursework in all public schools shall include instruction on how totalitarian ideologies, such as communism and fascism, are antithetical to the fundamental".

On page 4, in line 1, following "atrocities of" insert: "Nazi Germany,"; also in line 1, following "Union" insert: " "; in line 2, following "including" insert: "Kristallnacht, the Holocaust,"; delete lines 5 and 6, and insert: "(6) American government coursework in all public schools shall ensure that students understand the fundamental"; delete lines 9 through 11; in line 12, delete "(b)" and insert: "(a)"; in line 16, delete "(c)" and insert: "(b)"; in line 18, delete "'Brutus II,'" and insert: "the preamble of the Massachusetts constitution of 1780, George Washington's letter to the Hebrew congregation,"; in line 21, delete "(d)" and insert: "(c)"; in line 22, delete "including" and insert: "such as"; delete lines 30 through 33, and insert:

"(7) All public schools shall include instruction in secondary English language arts or communications coursework that incorporates, when appropriate, primary documents and literature from or about the American revolution, American founding, or early republic, provided that such materials align with the criteria provided in section 33-118C, Idaho Code,"; in line 34, delete "(10)" and insert: "(8)"; in line 40, delete "(11)" and insert: "(9)"; in line 45, delete "(12)" and insert: "(10)"; and in line 48, delete "(13)" and insert: "(11)".

On page 5, in line 2, following "instruction" insert: ", or designee,"; in line 3, delete "(14)" and insert: "(12)"; in line 5, delete "(15)" and insert: "(13)"; in line 8, delete "(16)" and insert: "(14)"; in line 15, delete "(17)" and insert: "(15)"; in line 25, delete "(18)" and insert: "(16)"; and in line 26, delete "(18)" and insert: "(16)".

On page 6, in line 24, delete "(19)" and insert: "(17)"; in line 25, delete "(18)" and insert: "(16)"; in line 28, delete "(18)" and insert: "(16)"; in line 29, delete "(20)" and insert: "(18)"; in line 35, delete "state" and insert: "state United States"; and following line 36, insert:

"(19) A public charter school may request from the state board of education an exemption from subsections (2)(c) and (4) through (7) of this section based on the public charter school's unique mission as outlined in its performance certificate."

AMENDMENT TO SECTION 2

On page 7, delete lines 7 and 8; in line 9, delete "(g)" and insert: "(f)"; in line 10, delete "(h)" and insert: "(g)"; in line 12, delete "(i)" and insert: "(h)"; and in line 15, delete "(j)" and insert: "(i)".

SENATE AMENDMENT TO H 897

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 26, delete "April 1, 2026," and insert: "July 1, 2026, or for which a qualifying business entity received a provisional exemption on or after July 1, 2026,".

On page 3, in line 2, delete "April 1, 2026," and insert: "July 1, 2026, and has been granted a provisional exemption for such data center on or after July 1, 2026,"; in line 9, delete "April 1, 2026," and insert: "July 1, 2026, and has been granted a provisional exemption for such data center on or after July 1, 2026,"; and in line 36, following "property" insert: "if such business entities demonstrate that they will meet the requirements provided in this section".

On page 4, following line 7, insert:

"(3) Beginning July 1, 2026, each qualifying business entity shall retain purchase receipts for every purchase made that is exempt from taxation pursuant to this section. Such receipts shall be kept for a period of no less than ten (10) years from the date of the purchase.

(4) Each qualifying business entity shall file a report to the state tax commission no later than February 1 of each year that includes the following information:

(a) The amount of sales tax revenue from which such qualifying business entity was exempted from paying in the previous calendar year pursuant to the exemption provided in this section, as evidenced by its purchase receipts retained pursuant to subsection (3) of this section;

(b) The approximate number of jobs the qualifying business entity created in the state that are directly related to the data centers that are the subject of such entity's exemption;

(c) The total amount of capital investment the qualifying business entity has made in the state that is directly related to the data centers that are the subject of such entity's exemption;

(d) A summary of the electricity usage of the data centers that are the subject of the qualifying business entity's exemption and, to the extent known or reasonably ascertainable by the qualifying business entity, how such electricity usage has impacted the availability and price of electricity in the communities surrounding such data centers; and

(e) A summary of the water usage of the data centers that are the subject of the qualifying business entity's exemption and, to the extent known or reasonably ascertainable by the qualifying business entity, how such water usage has impacted the availability and price of water in the communities surrounding such data centers.";

in line 8, delete "(3)" and insert: "(5)"; in line 12, delete "February" and insert: "March"; in line 29, following "and" insert: ", to the extent known or reasonably ascertainable by the state tax commission."; in line 33, following "and" insert: ", to the extent known or reasonably ascertainable by the state tax commission."; and in line 36, delete "(4)" and insert: "(6)".

AMENDMENT TO THE BILL

On page 4, delete lines 44 through 49; delete page 5; on page 6, delete lines 1 through 10; and renumber subsequent sections accordingly.

CORRECTION TO TITLE

On page 1, in line 4, delete "AMENDING SECTION 63-4502, IDAHO CODE, TO LIMIT ELIGIBILITY"; delete line 5; and in line 6, delete "CORRECTIONS";.

SENATE AMENDMENT TO S 1442

AMENDMENT TO SECTION 3

On page 2 of the printed bill, in line 40, delete "record and publish" and insert: "file with the state controller"; in line 43, delete "investigated, apprehended, detained, and"; in line 46, following "cable." insert: "The state controller shall make such report available for inspection at all times on the website of the state controller."; and delete lines 47 through 49, and insert:

"(4) If the attorney general determines that a local, county, or state law enforcement agency is not in compliance with the provisions of this section, he shall notify such agency of its noncompliance and that it has thirty (30) days to cure the violation. If the law enforcement agency fails to cure its noncompliance within thirty (30) days, the attorney general may seek injunctive relief against the agency, and the agency may be subject to the withholding of state funding by the legislature."

The Committee also has [H 613](#), [H 526](#), [S 1346](#), [S 1355](#), [H 549](#), [H 666](#), [H 717](#), as amended, and [H 835](#) under consideration, reports progress, and begs leave to sit again.

HARRIS, Chairman

On motion by Senator Harris, seconded by Senator Wintrow, the report was adopted by voice vote.

On request by Senator Den Hartog, granted by unanimous consent, [H 613](#) was recommitted to the State Affairs Committee.

On request by Senator Den Hartog, granted by unanimous consent, [H 717](#), as amended, was recommitted to the Transportation Committee.

[S 1336](#), as amended, and [S 1442](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 670](#), as amended in the Senate, [H 516](#), as amended in the Senate, and [H 897](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Shippy, granted by unanimous consent, [S 1346](#) was recommitted to the Health and Welfare Committee.

On request by Senator Den Hartog, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[H 883](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 33.

NAYS—None.

Absent and excused—Burtenshaw, Galloway. Total - 2.

Total - 35.

Whereupon the President declared [H 883](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Den Hartog, granted by unanimous consent, [H 772](#) and [H 879](#) retained their place on the Third Reading Calendar for one legislative day.

[H 721](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Toews arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Galloway. Total - 1.

Total - 35.

Whereupon the President declared [H 721](#) passed, title was approved, and the bill ordered returned to the House.

[H 750](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nichols arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bjerke (Bjerke), Carlson, Den Hartog, Foreman, Hart, Keyser, Lenney, Nichols, Ricks, Toews, VanOrden. Total - 13.

NAYS—Bernt, Blaylock, Burtenshaw, Cook, Grow, Guthrie, Harris, Kohl, Lakey, Lent, Okuniewicz, Rabe, Ruchti, Semmelroth, Shippy, Taylor, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 21.

Absent and excused—Galloway. Total - 1.

Total - 35.

Whereupon the President declared that [H 750](#), as amended, had failed to pass the Senate and ordered the bill returned to the House.

[H 929](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Keyser, Lakey, Lenney, Lent, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 29.

NAYS—Hart, Kohl, Nichols, Zito, Zuiderveld. Total - 5.

Absent and excused—Galloway. Total - 1.

Total - 35.

Whereupon the President declared [H 929](#) passed, title was approved, and the bill ordered returned to the House.

[H 931](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Galloway. Total - 1.

Total - 35.

Whereupon the President declared [H 931](#) passed, title was approved, and the bill ordered returned to the House.

[H 873](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—None.

Absent and excused—Galloway. Total - 1.

Total - 35.

Whereupon the President declared [H 873](#) passed, title was approved, and the bill ordered returned to the House.

[H 889](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Blaylock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Blaylock, Burtenshaw, Cook, Den Hartog, Galloway, Guthrie, Harris, Lakey, Lent, Rabe, Ricks, Ruchti, Semmelroth, Taylor, VanOrden, Ward-Engelking, Wintrow, Woodward. Total - 21.

NAYS—Bjerke (Bjerke), Carlson, Foreman, Grow, Hart, Keyser, Kohl, Lenney, Nichols, Okuniewicz, Shippy, Toews, Zito, Zuiderveld. Total - 14.

Total - 35.

Whereupon the President declared [H 889](#) passed, title was approved, and the bill ordered returned to the House.

[H 890](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lenney, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—Wintrow. Total - 1.

Total - 35.

Whereupon the President declared [H 890](#) passed, title was approved, and the bill ordered returned to the House.

[H 898](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Woodward disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Galloway, Grow, Guthrie, Harris, Keyser, Lakey, Lenney, Lent, Nichols, Okuniewicz, Ricks, Toews, VanOrden, Woodward. Total - 23.

NAYS—Foreman, Hart, Kohl, Rabe, Ruchti, Semmelroth, Shippy, Taylor, Ward-Engelking, Wintrow, Zito, Zuiderveld. Total - 12.

Total - 35.

Whereupon the President declared [H 898](#) passed, title was approved, and the bill ordered returned to the House.

[H 900](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—Lenney. Total - 1.

Total - 35.

Whereupon the President declared [H 900](#) passed, title was approved, and the bill ordered returned to the House.

[H 911](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Adams, Anthon, Bernt, Bjerke (Bjerke), Blaylock, Burtenshaw, Carlson, Cook, Den Hartog, Foreman, Galloway, Grow, Guthrie, Harris, Hart, Keyser, Kohl, Lakey, Lent, Nichols, Okuniewicz, Rabe, Ricks, Ruchti, Semmelroth, Shippy, Taylor, Toews, VanOrden, Ward-Engelking, Wintrow, Woodward, Zito, Zuiderveld. Total - 34.

NAYS—Lenney. Total - 1.

Total - 35.

Whereupon the President declared [H 911](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Den Hartog, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Den Hartog, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 30, 2026

The JUDICIARY AND RULES Committee reports that [S 1446](#), [S 1447](#), and [S 1448](#) have been correctly printed.

LAKEY, Chairman

[S 1446](#) and [S 1447](#) were referred to the Finance Committee.

[S 1448](#) was referred to the Judiciary and Rules Committee.

March 30, 2026

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 670](#), [H 516](#), [S 1336](#), [H 897](#), and [S 1442](#) have been correctly printed.

LAKEY, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 30, 2026

The JUDICIARY AND RULES Committee reports that [S 1336](#), as amended, and [S 1442](#), as amended, have been correctly engrossed.

LAKEY, Chairman

[S 1336](#), as amended, and [S 1442](#), as amended, were filed for first reading.

March 30, 2026

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 706](#) with the recommendation that it be re-referred.

FOREMAN, Chairman

There being no objection, [H 706](#) was re-referred to the Local Government and Taxation Committee.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 30, 2026

Dear Mr. President:

I transmit herewith [HJM 22](#), [H 957](#), [H 948](#), [H 967](#), [H 959](#), [H 964](#), [H 965](#), and [H 966](#), which have passed the House.

MCGINNIS, Chief Clerk

[HJM 22](#), [H 957](#), [H 948](#), [H 967](#), [H 959](#), [H 964](#), [H 965](#), and [H 966](#) were filed for first reading.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 670](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

[H 516](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[H 897](#), as amended in the Senate, by Ways and Means Committee, was read the first time at length and filed for second reading.

[S 1336](#), as amended, and [S 1442](#), as amended, by State Affairs Committee, were read the first time at length and filed for second reading.

[HJM 22](#), by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 957](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 948](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 967](#) and [H 959](#), by Ways and Means Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 964](#), [H 965](#), and [H 966](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Den Hartog, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Den Hartog, seconded by Senator Wintrow, by voice vote, the Senate adjourned at 8:02 p.m. until the hour of 9:30 a.m., Tuesday, March 31, 2026.

SCOTT BEDKE, President

Attest: JENNIFER NOVAK, Secretary