

IN THE SENATE

SENATE BILL NO. 1357

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE AD-  
DITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO ESTABLISH PROVISIONS  
REGARDING CERTAIN LIMITATIONS ON SCHOLARSHIPS; AND DECLARING AN EMER-  
GENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 37, Title 33, Idaho Code, be, and the same is  
hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
ignated as Section 33-3717D, Idaho Code, and to read as follows:

33-3717D. LIMITATIONS ON SCHOLARSHIPS. (1) For purposes of this sec-  
tion:

(a) "Idaho resident" means a person who qualifies for Idaho residency  
pursuant to section 33-3717B, Idaho Code.

(b) "Intercollegiate athletics" means organized athletic competition  
between persons or teams representing institutions of higher educa-  
tion.

(c) "Scholarship" means any form of financial aid awarded by a public  
institution of higher education to a student.

(d) "Student athlete" means a student who is enrolled in a public insti-  
tution of higher education who participates in intercollegiate athlet-  
ics.

(e) "United States resident" means a person who:  
(i) Is lawfully present in the United States; and  
(ii) Has maintained, or whose parent or legal guardian has main-  
tained, a domicile in the United States for at least twelve (12)  
months preceding the opening day of the term for which the student  
matriculates. For purposes of this subparagraph, "domicile" has  
the same meaning as provided in section 33-3717B, Idaho Code.

(2) The state board of education shall promulgate rules, subject to  
legislative approval, establishing a preference for Idaho residents for  
scholarships awarded to student athletes by public institutions of higher  
education in Idaho.

(3) No public institution of higher education in Idaho shall, in a given  
academic year, award scholarships to more than ten percent (10%) of the total  
number of all sports roster positions to student athletes who are not United  
States residents.

(4) No more than fifty percent (50%) of the members of an intercolle-  
giate athletic team representing a public institution of higher education in  
Idaho shall be student athletes who are not United States residents who are  
recipients of scholarships.

(5) Scholarships awarded prior to July 1, 2026, to student athletes who  
are not United States residents shall not be invalidated by the provisions

1 of this section. Such student athletes shall not count toward the ten per-  
2 cent (10%) cap provided in subsection (3) of this section or the fifty per-  
3 cent (50%) cap provided in subsection (4) of this section for a period not  
4 to exceed four (4) full-time consecutive academic years, including those al-  
5 ready completed or in progress.

6 (6) The state board of education shall promulgate rules, subject to  
7 legislative approval, to implement the provisions of this section. Such  
8 rules shall include rules to monitor compliance with this section.

9 (7) By December 1 of each year, the state board of education shall re-  
10 port to the legislature on compliance with this section and shall include in  
11 such report:

12 (a) The total number of scholarships awarded by each public institution  
13 of higher education to student athletes who are Idaho residents;

14 (b) The total number of scholarships awarded by each public institution  
15 of higher education to student athletes who are United States residents  
16 but who are not Idaho residents; and

17 (c) The total number of scholarships awarded by each public institution  
18 of higher education to student athletes who are not United States resi-  
19 dents.

20 SECTION 2. An emergency existing therefor, which emergency is hereby  
21 declared to exist, this act shall be in full force and effect on and after  
22 July 1, 2026.