MINUTES

SENATE JUDICIARY & RULES COMMITTEE

DATE:	Monday, March 16, 2026
TIME:	1:00 P.M.
PLACE:	Room WW54
MEMBERS PRESENT:	Chairman Lakey, Vice Chairman Shippy, Senators Ricks, Foreman, Lent, Lenney, Keyser, Wintrow, and Ruchti
ABSENT/ EXCUSED:	None
NOTE:	The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED:	**Chairman Lakey** called the meeting of the Senate Judiciary and Rules Committee (Committee) to order at 1:00 p.m.
MINUTES APPROVAL:	**Senator Ruchti** moved to approve the Minutes of February 25, 2026. **Vice Chairman Shippy** seconded the motion. The motion passed by **voice vote.**
NOTE:	**Chairman Lakey** informed the Committee that **H 681** would be heard first.
H 681	**CRIMINAL PROCEDURE - Amends existing law to provide that there shall be no statute of limitations for certain felonies. Representative Grayson Stone,** introduced **H 681.** He explained that the bill eliminated the statute of limitations for certain serious crimes, including aggravated lewd conduct with a child and producing sexually exploitative material, which previously had a five-year limit. The bill aligned these offenses with crimes such as murder, voluntary manslaughter, and certain types of rape, which had no statute of limitations. He stated that the purpose was to ensure offenders could be prosecuted at any time and be held accountable. He then yielded his time to Brian Naugle of the Idaho Prosecuting Attorneys Association.
TESTIMONY:	**Brian Naugle,** Executive Director, Idaho Prosecuting Attorneys Association, stated that the association supported the bill. He explained that it added two crimes to the list of offenses with no statute of limitations: aggravated lewd conduct and the creation of child pornography. He noted that aggravated lewd conduct had recently been designated as punishable by death, while the creation of child pornography carried a penalty of up to 30 years in the Idaho State Penitentiary. He emphasized that both crimes were serious enough to be treated similarly to offenses like murder and rape, which also had no statute of limitations. **Senator Ruchti** asked Mr. Naugle to explain the reasons for having statutes of limitations. He noted that there were functional justifications for them, including the concern that witnesses' memories could fade over time and become less reliable, and, asked why that issue should not factor into the decision to remove the statute of limitations in this case. **Mr. Naugle** explained that statutes of limitations had generally been one year for misdemeanors and five years for felonies to prevent less serious crimes from being prosecuted indefinitely. He argued that more serious offenses, such as murder and child victim crimes, justified no time limit because they might be discovered years later. He acknowledged concerns about fading witness memory but said those risks were addressed by constitutional protections, including the requirement to prove guilt beyond a reasonable doubt.

MOTION: **Senator Ricks** moved to send **H 681** to the floor with a **do pass** recommendation. **Senator Keyser** seconded the motion. The motion carried by **voice vote.**

GUBERNATORIAL APPOINTMENT: **Committee Consideration of the Gubernatorial Appointment of Terry Kirkham of Idaho Falls, Idaho, to the Commission of Pardons and Parole to serve a term commencing March 18, 2026 and expiring January 1, 2028. Terry Kirkham** stated that he had lived in Idaho Falls and had served on the Commission for six years, with a brief three-month break due to stress. He described the role as demanding, involving heavy workloads and decisions that affected people's lives and public safety. Drawing on nearly 30 years of experience in Idaho's Department of Corrections (IDOC), including roles as warden and positions in probation and parole, he emphasized his expertise in working with offenders. He said his motivation was to continue serving by supporting an overburdened commission and ensuring public safety through sound parole decisions.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Paula Garay of Meridian, Idaho, to the Sexual Offender Management Board to serve a term commencing January 1, 2026 and expiring January 1, 2029. Paula Garay,** stated that she had served on the board for 15 years since its formation. She noted that she had 24 years of experience working with juvenile sex offenders and some experience with adult offenders. She emphasized the importance of the board's work and expressed her desire to continue serving.

H 491 **EMERGENCY FIRST AID - Amends existing law to revise provisions regarding immunity of persons giving first aid from damage claims. Senator Lent** stated **H 491** amended Section 330 of Idaho Code to add mental health and suicide emergency first aid to the existing immunity provisions. It allowed individuals who acted in good faith and without compensation to provide such aid without being held liable for damages.

DISCUSSION: **Senator Wintrow** asked what would happen if someone refused to provide help due to their religious beliefs and whether that person would still be granted immunity under the bill. **Senator Lent** responded that he did not know.

MOTION: **Senator Ricks** moved to send **H 491** to the floor with a **do pass** recommendation. **Senator Foreman** seconded the motion. The motion carried by **voice vote.**

H 492 **PEACE OFFICER STANDARDS AND TRAINING COUNCIL - Amends existing law to provide that a certain person from the Idaho Association of Counties shall be a member of the Peace Officer Standards and Training Council. Senator Lent** stated that **H 492** amended Idaho Code §19-5102 to add a member from the Juvenile Justice Administrators or Adult Misdemeanor Probation Administrators Association to the Peace Officers Standards and Training (POST) Council. It was noted that this addition had been intended for many years but never implemented. The bill's House sponsor committed to making it happen, and it was stated that the change would not incur any additional costs, as the members were already professionally associated and would simply participate on the council.

MOTION: **Senator Ricks** moved to send **H 492** to the floor with a **do pass** recommendation. **Senator Ruchti** seconded the motion. The motion carried by **voice vote.**

H 522 **UNMANNED AIRCRAFT SYSTEMS - Adds to existing law to establish provisons regarding unmanned aircraft systems near Department of Correction facilities. Senator Keyser** explained that **H 522** added a new section, § 20-251, to Idaho Code addressing unmanned aircraft systems near correctional facilities. The bill aimed to allow correctional officers to disable drones flying within 400 feet of a facility's perimeter, as drones had been used by bad actors to identify officers, patrol routes, and to deliver contraband. It made drone interference a misdemeanor with set fines. Discussions with stakeholders identified a need for clearer definitions of correctional facilities and to limit terms like "jamming," which could conflict with available technology and federal law.

DISCUSSION: **Senator Ricks** asked, given the recent incidents in Iran where drones were intercepted or shot down by air defenses, whether we might see similar scenarios over U.S. prisons in the news. He also inquired what 'physical capture' of a drone would entail and whether Senator Keyser knew how drones could be captured or disabled. **Senator Keyser** responded that an officer could attempt to grab the drone from the air. He added that other methods could include the use of a firearm, and as technology became more available to law enforcement, electronic means to disable drones in flight could also be used. He acknowledged that drones posed an ongoing risk from bad actors, including those involved in terrorist activity, but emphasized that the primary concern was stopping drones used to deliver drugs into correctional facilities.

TESTIMONY: **Steven Millward,** Part 107-certified remote Pilot, testified that while he supported preventing contraband in prisons, he found the bill's drone-interception approach problematic. He argued that installing anti-contraband netting would be safer and more effective than jamming, hacking, or physically capturing drones. He noted that netting would stop drones, drone swarms, and low-tech contraband methods like frisbees or slingshots. He raised concerns about potential costs for counter-drone technologies, as well as legal risks for remote pilots unaware of correctional facility locations.

DISCUSSION: **Senator Wintrow** asked if Mr. Millward's concern had been that, if a drone were flown illegally but not carrying contraband, someone might face criminal charges. **Mr. Millward** responded that there were legitimate reasons for a pilot to fly over a correctional facility, including making deliveries to nearby towns like Cottonwood and Orofino. He also noted constitutional considerations, such as press members filming prison events, emphasizing that freedom of the press should allow such activities.

TESTIMONY: **Mason Sisks,** Association for Uncrewed Vehicle Systems International (AUVSI), testified that their concerns focused on commercial drone flights over correctional facilities and the need to align the bill with federal law. He noted that the National Defense Authorization Act had recently expanded mitigation authority beyond a few federal agencies, establishing processes for training and reporting with U.S. Homeland Security Department. He also praised the House sponsor for consulting with AUVSI earlier and expressed willingness to work with both sponsors on amendments to ensure proper alignment and compliance.

MOTION: **Senator Foreman** moved to send **H 522** to the 14th Order of Business for possible amendment. **Senator Ricks** seconded the motion. The motion carried by **voice vote.**

NOTE: **Chairman Lakey** proceeded with **H 570aa.**

H 570AA **RECKLESS DRIVING - Amends existing law to revise a provison regarding reckless driving. Senator Keyser** stated that **H 570aa** amended Section 49-1401 of Idaho Code to include driving 20 miles per hour or more over the speed limit in active school or construction zones as reckless driving. The bill defined an active school zone as one where children were present and visible, and an active construction zone as one where workers were present and visible. He emphasized that the bill protected vulnerable road users, noting incidents of students being hit by speeding vehicles. **Senator Keyser** noted that **H 570aa** clarified reckless driving for law enforcement, it supported worker safety, and provided an enforcement tool while ensuring charges applied only when children or workers were actively at risk.

DISCUSSION: **Senator Lent** asked what the current penalties for reckless driving were and what other consequences a person faced for having a reckless driving offense on their record. He also asked whether, under the bill, someone driving 40 mph in a 20 mph school zone could be issued a reckless driving ticket and whether enhanced penalties for speeding in construction zones already existed. **Senator Keyser** responded that reckless driving was already listed as a misdemeanor in subsection two, so the bill did not change that. Regarding additional consequences, such as license suspension, he was not certain if that would be standard procedure, as the statute specifically addressed the misdemeanor offense itself. He also clarified that driving 20 miles per hour over the limit would only be considered a misdemeanor if children were present and visible in the school zone.

TESTIMONY: **Kinsey Thatcher,** Owner, Road Work Ahead Traffic Services, testified in support of **H 570aa.** She explained that traffic control existed to safely guide the public through work zones, protect contractors, and ensure workers returned home safely. Over her 12-year career, she observed increasing speeding in work zones, often 20–30 mph over the limit, which disrupted traffic flow and reduced drivers' reaction times. She cited real incidents, including crashes and a worker fatality, to emphasize the risks. She stated that enhanced penalties would provide law enforcement with a meaningful tool to deter speeding, improve safety, and protect workers.

MOTION: **Senator Foreman** moved to send **H 570aa** to the floor with a **do pass** recommendation. **Chairman Lakey** seconded the motion. The motion carried by **voice vote.**

H 548 **IDAHO SAFE BOATING ACT - Amends existing law to revise a provision regarding enforcement. Senator Hart** presented alongside Representative Kyle Harris, the bill's author, on legislation amending the Idaho Safe Voting Act (Title 67). The bill modified Section 7028 by adding the words "upon reasonable suspicion that a violation has occurred," allowing law enforcement to stop or board a boat on Idaho waters only under that standard. He explained that the bill aimed to apply Fourth Amendment protections to boating situations. He noted that the bill had passed the House 68 to 0.

DISCUSSION: **Senator Lent** asked what the difference had been in the same situation with an automobile and whether police officers had the same rights in a car as they did on a boat.

Senator Foreman responded as a retired law enforcement officer, that under the bill, law enforcement would need at least reasonable suspicion to stop someone, as is required on land. He noted that previously, a person in a boat could be approached by officers without suspicion for routine checks, such as asking for a license or inspecting life preservers, which he said was unfair. He supported the bill, emphasizing that there had been a discrepancy between rights on the water and on land that should be corrected.

TESTIMONY: **Sheriff Chris Goetz,** Idaho Sheriffs' Association, testified in opposition to the bill. He explained that the current law originated from the Idaho Department of Parks and Recreation (IDPR) in partnership with the U.S. Coast Guard through the Recreational Boating Safety (RBS) grant program, which brought about $4 million annually to Idaho. He noted that U.S. Coast Guard and auxiliary personnel already had full rights to board vessels nationwide, and local sheriffs participated in largely consensual safety inspections to ensure boaters had required equipment like life jackets, fire extinguishers, and spark arrestors. He emphasized that these contacts were non-confrontational and educational. **Sheriff Goetz** warned that passing the bill would likely require renegotiating the RBS program agreement, effectively undermining a law and program in place since 1986 without prior issues.

DISCUSSION: **Chairman Lakey** asked why the Fourth Amendment had been applied differently in this context compared to automobiles, and what would have happened if law enforcement had conducted a boat search without consent or a warrant and discovered contraband. **Sheriff Goetz** responded that, unlike automobiles, law enforcement previously could board boats without suspicion or a warrant under the existing program, but the bill aligned boating searches with Fourth Amendment protections. He explained that without reasonable suspicion or consent, discovering contraband during a boat search would not have been legally justified under the amendment.

H 548 **Representative Kyle Harris,** representing District 7, noted that all sheriffs in his district supported **H 548.** He clarified that the bill did not prevent boat inspections at launches and disagreed that existing agreements would need to be rewritten. He emphasized that the key issue was non-consensual stops on the water, which could lead to broader inspections without reasonable suspicion. He framed the bill as a Fourth Amendment issue—if police could not stop someone in a car without suspicion, they should not be able to stop them on a boat—and urged support to pass the bill to the floor.

MOTION: **Senator Foreman** moved to send **H 548** to the floor with a **do pass** recommendation. **Senator Lenney** seconded the motion. The motion carried by **voice vote.**

H 654 **POLICE DOGS - Amends existing law to define "electronic storage detection dog." Senator Ruchti** explained that the legislation aimed to add electronic storage device–detecting canines to the definition of police dogs in the statute protecting police animals from mistreatment or killing. The bill sought to expand protections for dogs used by law enforcement to detect criminal activity stored electronically, often involving child exploitation, on devices like flash drives and AirTags. He noted that these dogs were trained to detect a chemical called Triphenylphosphine Oxide (TPPO), applied to circuit boards to prevent overheating, which enabled them to locate hidden electronic devices. He also mentioned that such a trained dog was present.

TESTIMONY: **Lauren Lane,** Commander, Idaho Internet Crimes Against Children' Task Force (ICAC), testified that she worked with her partner, K-9 Badger, a three-year-old black lab trained to detect triphenylphosphine oxide sprayed on circuit boards during manufacturing. She explained that they used him on search warrants to locate devices such as flash drives, cell phones, AirTags, hidden cameras, SD cards, and micro SD cards. She added that K-9 Badger also provided comfort to families and victims during these searches. She stated since March of the previous year, they had been deployed on nearly 40 search warrants, and on about 20 of those, Badger located devices that officers had missed or that suspects had hidden. She stated support for protecting electronic storage device (ESD) K-9's across Idaho because they helped protect children.

MOTION: **Senator Wintrow** moved to send **H 648** to the floor with a **do pass** recommendation. **Senator Foreman** seconded the motion. The motion carried by **voice vote.**

ADJOURNED: There being no further business at this time, **Chairman Lakey** adjourned the meeting at 2:05 p.m.

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Senator Lakey
Chair

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Sharon Pennington
Secretary

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Melissa Price
Secretary