

TITLE 9  
EVIDENCE

CHAPTER 17  
PROOF OF FACTS CONTAINED IN PUBLIC RECORDS

9-1701. LICENSURE OR NONLICENSURE. (1) The existence or nonexistence of licensure by any public authority in this state, the United States, or any state of the United States may be proved, *prima facie*, in any criminal or civil action, by the affidavit of the custodian of the records of the licensing authority, or one acting with the authorization of the custodian, stating that the conclusion given was based on a diligent search of the records, and accompanied by a certificate that such person has the custody.

(2) In cases where public licensing functions performed by more than one licensing authority in this state relate to the same subject matter, the division of occupational and professional licenses may, by regulation, designate a single custodian to maintain a master list of licensees, and the affidavit of such person, or one acting with his authority, may be used as evidence in the manner and with the effect set forth in subsection (1) of this section.

(3) This section does not prevent the proof of official records or of entry or lack of entry therein by any method authorized by any applicable statute, rule of criminal or civil procedure or rule of evidence recognized by the courts of this state.

[9-1701, added 1979, ch. 131, sec. 4, p. 425; am. 2022, ch. 94, sec. 1, p. 279.]

9-1702. PROOF OF PRESCRIPTION DRUG STATUS. Proof that a drug is a prescription or legend drug may be made as provided by section [54-1738](#), Idaho Code.

[9-1702, added 1979, ch. 131, sec. 4, p. 426.]