

IN THE SENATE

SENATE BILL NO. 1256

BY STATE AFFAIRS COMMITTEE

AN ACT

1
2 RELATING TO ELECTED PUBLIC OFFICIALS; PROVIDING LEGISLATIVE INTENT; AMEND-
3 ING CHAPTER 4, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
4 74-408, IDAHO CODE, TO ESTABLISH PROVISIONS FOR THE DISQUALIFICATION
5 FROM OFFICE OF ELECTED PUBLIC OFFICIALS CONVICTED OF CERTAIN CRIMES
6 WHILE IN OFFICE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
7 DATE.

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

9 SECTION 1. LEGISLATIVE INTENT. As it is declared in Idaho Code, public
10 officials serving at any level of government do so in the public trust. To
11 maintain such a trust, it is crucial that those who are elected serve in the
12 government with integrity, maintain a high standard of principles, and not
13 discredit public office. Elected officials must serve as examples for the
14 people being governed. The public trust is lost when elected public offi-
15 cials, who are expected to represent the community, violate criminal law.

16 SECTION 2. That Chapter 4, Title 74, Idaho Code, be, and the same is
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
18 ignated as Section 74-408, Idaho Code, and to read as follows:

19 74-408. ELECTED PUBLIC OFFICIAL -- CRIMINAL CONVICTION. (1) Any
20 elected official of a governmental entity or any person appointed to a vacant
21 elected office of a governmental entity convicted of a crime resulting in
22 probation or incarceration in a correctional facility, local correctional
23 facility, or private correctional facility, as those terms are defined in
24 section 18-101A, Idaho Code, shall no longer be eligible to be elected to any
25 public office within the state of Idaho.

26 (2) Any elected public official found to be in violation of this section
27 may complete his term of office.

28 SECTION 3. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after
30 July 1, 2024.