

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 30

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO CITIES; AMENDING SECTION 50-301, IDAHO CODE, TO PROVIDE FOR
2 A LIMITATION ON CERTAIN CITY LEASE OR LEASE-PURCHASE AGREEMENTS; AND
3 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
4

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

6 SECTION 1. That Section 50-301, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 50-301. CORPORATE AND LOCAL SELF-GOVERNMENT POWERS. (1) Cities gov-
9 erned by this act shall be bodies corporate and politic; may sue and be sued;
10 contract and be contracted with; accept grants-in-aid and gifts of property,
11 both real and personal, in the name of the city; acquire, hold, lease, and
12 convey property, real and personal; have a common seal, which they may change
13 and alter at pleasure; may erect buildings or structures of any kind, needful
14 for the uses or purposes of the city; and exercise all powers and perform all
15 functions of local self-government in city affairs as are not specifically
16 prohibited by or in conflict with the general laws or the constitution of the
17 state of Idaho.

18 (2) On and after July 1, 2023, no city is permitted to acquire or use the
19 real property of another party by a lease or lease-purchase agreement hav-
20 ing a duration in excess of five (5) years without the approval of a majority
21 of the electors voting at an election held for such purpose on a date autho-
22 rized pursuant to section 34-106, Idaho Code. Such approval shall not exceed
23 thirty (30) years. The provisions of this subsection do not apply to:

24 (a) Property leased to a city for the amount of one thousand dollars
25 (\$1,000) or less per year;

26 (b) Leases of city-owned property to another party; or

27 (c) Leases or lease-purchase agreements related to municipal electric
28 power plants, municipal utility distribution and transmission systems,
29 or railroads.

30 SECTION 2. An emergency existing therefor, which emergency is hereby
31 declared to exist, this act shall be in full force and effect on and after
32 July 1, 2023.