

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 89

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO CITY COUNCILS; AMENDING SECTION 50-704, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FILLING OF A VACANCY ON A COUNCIL AND TO PROVIDE FOR THE FILLING OF A VACANCY IN CERTAIN INSTANCES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 50-704, Idaho Code, be, and the same is hereby amended to read as follows:

50-704. VACANCIES -- APPOINTMENT. (1) A vacancy on the council shall be filled by appointment nomination made by the mayor with the consent of the council, which. If the position of mayor is vacant, the nomination shall be made by the council president. Lacking both a mayor and a council president, the nomination shall be made by the most senior member of the council. For any nomination made pursuant to this subsection, the nominee must be confirmed by the council.

(2) If the number of members of the council is insufficient to establish a quorum, the ranking elected official, in order of the mayor, council president, and senior member of the council, shall nominate a name or names to the governor for appointment sufficient to establish a quorum.

(3) For any appointment made pursuant to this section, the appointee shall serve only until the next general city election, at which such vacancy shall be filled for the balance of the original term.

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