

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 507

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC MONEYS; AMENDING CHAPTER 16, TITLE 31, IDAHO CODE, BY
2 THE ADDITION OF A NEW SECTION 31-1614, IDAHO CODE, TO PROHIBIT A COUNTY
3 GOVERNMENT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PRO-
4 VIDE EXCEPTIONS; AMENDING CHAPTER 10, TITLE 50, IDAHO CODE, BY THE
5 ADDITION OF A NEW SECTION 50-1050, IDAHO CODE, TO PROHIBIT A CITY GOV-
6 ERNMENT FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE
7 EXCEPTIONS; AMENDING CHAPTER 35, TITLE 67, IDAHO CODE, BY THE ADDITION
8 OF A NEW SECTION 67-3533, IDAHO CODE, TO PROHIBIT THE STATE GOVERNMENT
9 FROM EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEP-
10 TIONS; AMENDING CHAPTER 4, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW
11 SECTION 39-427, IDAHO CODE, TO PROHIBIT A PUBLIC HEALTH DISTRICT FROM
12 EXPENDING FUNDS TO A PROVIDER OF ABORTION AND TO PROVIDE EXCEPTIONS; AND
13 PROVIDING SEVERABILITY.
14

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

16 SECTION 1. That Chapter 16, Title 31, 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 31-1614, Idaho Code, and to read as follows:

19 31-1614. DISTRIBUTION OF PUBLIC MONEYS TO PROVIDERS OF ABORTION PRO-
20 HIBITED. (1) A county government shall be prohibited from expending, or
21 in any way transferring, funds to any individual or organization that is a
22 provider of abortion as defined in section 18-604, Idaho Code, notwithstand-
23 ing any other provision of federal law to the contrary.

24 (2) The prohibition in subsection (1) of this section shall not apply
25 to:

26 (a) Abortions eligible for public funding under circumstances where
27 the abortion is necessary to save the life of the woman, or in cases of
28 rape or incest as determined by the courts, or where no court determina-
29 tion has been made, if reported to a law enforcement agency; or

30 (b) Any claims for public funding for a service that was otherwise el-
31 igible for payment if such service was performed, billed, or authorized
32 prior to the effective date of this section.

33 SECTION 2. That Chapter 10, Title 50, Idaho Code, be, and the same is
34 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
35 ignated as Section 50-1050, Idaho Code, and to read as follows:

36 50-1050. DISTRIBUTION OF PUBLIC MONEYS TO PROVIDERS OF ABORTION PRO-
37 HIBITED. (1) A city government shall be prohibited from expending, or in any
38 way transferring, funds to any individual or organization that is a provider
39 of abortion as defined in section 18-604, Idaho Code, notwithstanding any
40 other provision of federal law to the contrary.

1 (2) The prohibition in subsection (1) of this section shall not apply
 2 to:
 3 (a) Abortions eligible for public funding under circumstances where
 4 the abortion is necessary to save the life of the woman, or in cases of
 5 rape or incest as determined by the courts, or where no court determina-
 6 tion has been made, if reported to a law enforcement agency; or
 7 (b) Any claims for public funding for a service that was otherwise el-
 8 ible for payment if such service was performed, billed, or authorized
 9 prior to the effective date of this section.

10 SECTION 3. That Chapter 35, Title 67, Idaho Code, be, and the same is
 11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 12 ignated as Section 67-3533, Idaho Code, and to read as follows:

13 67-3533. DISTRIBUTION OF PUBLIC MONEYS TO PROVIDERS OF ABORTION PRO-
 14 HIBITED. (1) The state government shall be prohibited from expending, or
 15 in any way transferring, funds to any individual or organization that is a
 16 provider of abortion as defined in section 18-604, Idaho Code, notwithstand-
 17 ing any other provision of federal law to the contrary.

18 (2) The prohibition in subsection (1) of this section shall not apply
 19 to:
 20 (a) Abortions eligible for public funding under circumstances where
 21 the abortion is necessary to save the life of the woman, or in cases of
 22 rape or incest as determined by the courts, or where no court determina-
 23 tion has been made, if reported to a law enforcement agency; or
 24 (b) Any claims for public funding for a service that was otherwise el-
 25 ible for payment if such service was performed, billed, or authorized
 26 prior to the effective date of this section.

27 SECTION 4. That Chapter 4, Title 39, Idaho Code, be, and the same is
 28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 29 ignated as Section 39-427, Idaho Code, and to read as follows:

30 39-427. DISTRIBUTION OF PUBLIC MONEYS TO PROVIDERS OF ABORTION PRO-
 31 HIBITED. (1) A public health district shall be prohibited from expending, or
 32 in any way transferring, funds to any individual or organization that is a
 33 provider of abortion as defined in section 18-604, Idaho Code, notwithstand-
 34 ing any other provision of federal law to the contrary.

35 (2) The prohibition in subsection (1) of this section shall not apply
 36 to:
 37 (a) Abortions eligible for public funding under circumstances where
 38 the abortion is necessary to save the life of the woman, or in cases of
 39 rape or incest as determined by the courts, or where no court determina-
 40 tion has been made, if reported to a law enforcement agency; or
 41 (b) Any claims for public funding for a service that was otherwise el-
 42 ible for payment if such service was performed, billed, or authorized
 43 prior to the effective date of this section.

44 SECTION 5. SEVERABILITY. The provisions of this act are hereby declared
 45 to be severable, and if any provision of this act or the application of such
 46 provision to any person or circumstance is declared invalid for any reason,

1 such declaration shall not affect the validity of the remaining portions of
2 this act.