

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 515

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-401, IDAHO CODE, AS
2 AMENDED BY SECTION 2, CHAPTER 336, LAWS OF 2021, TO REMOVE PROVISIONS
3 REGARDING CERTAIN STATE EMPLOYEES AND TO MAKE TECHNICAL CORRECTIONS;
4 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

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

7 SECTION 1. That Section 39-401, Idaho Code, as amended by Section 2,
8 Chapter 336, Laws of 2021, be, and the same is hereby amended to read as fol-
9 lows:

10 39-401. LEGISLATIVE INTENT. (1) The various health districts, as pro-
11 vided for in this chapter, are not:

12 (a) A single department of state government unto themselves;

13 (b) A part of any of the twenty (20) departments of state government au-
14 thorized by section 20, article IV, Idaho constitution;

15 (c) A part of the departments prescribed in section 67-2402, Idaho
16 Code; or

17 (d) A department or an agency of county government.

18 (2) It is legislative intent that health districts operate and be rec-
19 ognized not as state or county agencies or departments, but as governmental
20 entities whose creation has been authorized by the state, much in the manner
21 as other single-purpose districts. Pursuant to this intent, and because
22 health districts are not state or county departments or agencies, health
23 districts are exempt from the required participation in the services of
24 the purchasing agent or employee liability coverage, as rendered by the
25 department of administration. However, nothing shall prohibit the health
26 districts from entering into contractual arrangements with the department
27 of administration, or any other department of state government or an elected
28 constitutional officer, for these or any other services.

29 (3) It is legislative intent to affirm the provisions of section
30 39-413, Idaho Code, ~~requiring compliance with the state merit system,~~ and
31 to affirm the participation of the health districts in the public employee
32 retirement system, pursuant to section 39-426, Idaho Code, chapter 13, title
33 59, Idaho Code, and ~~chapter 53, title 67~~ section 67-5333, Idaho Code.

34 (4) It is also legislative intent that the matters of location of de-
35 posit of health district funds, or the instruments or documents of payment
36 from those funds, shall be construed as no more than items of convenience for
37 the conduct of business, and in no way reflect upon the nature or status of
38 the health districts as entities of government.

39 (5) This section merely affirms that health districts created under
40 this chapter are not state or county agencies, and in no way changes the char-
41 acter of those agencies as they existed prior to this act.

1 (6) Public health districts will have the option to continue with
2 agreements and service arrangements, including insurance arrangements,
3 with state agencies that were effective prior to January 1, 2022, unless an
4 agreement or service arrangement is expressly nullified by statute.

5 SECTION 2. An emergency existing therefor, which emergency is hereby
6 declared to exist, this act shall be in full force and effect on and after
7 March 1, 2022.