

IN THE SENATE

SENATE BILL NO. 1082

BY STATE AFFAIRS COMMITTEE

AN ACT

1  
2 RELATING TO COUNTY SHERIFFS; AMENDING SECTION 34-618, IDAHO CODE, TO PRO-  
3 VIDE QUALIFICATIONS FOR SHERIFF CANDIDATES, TO PROVIDE APPLICABILITY,  
4 AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PRO-  
5 VIDING AN EFFECTIVE DATE.

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

7 SECTION 1. That Section 34-618, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 34-618. ELECTION OF COUNTY SHERIFFS -- QUALIFICATIONS. (1) At the gen-  
10 eral election, 1972, and every four (4) years thereafter, a sheriff shall be  
11 elected in every county.

12 (2) No person shall be elected to the office of sheriff unless ~~he has~~  
13 such person:

14 (a) Has attained the age of twenty-one (21) years at the time of elec-  
15 tion, is;

16 (b) Is a citizen of the United States and shall have;

17 (c) Has not been convicted of a crime for which the person could have  
18 been imprisoned in a federal or state penitentiary;

19 (d) Has resided within the county one (1) year next preceding his the  
20 person's election; and

21 (e) Has never been decertified by the Idaho peace officer standards and  
22 training council or any equivalent state peace officer or detention of-  
23 ficer certification body and has never resigned such person's certifi-  
24 cation.

25 (3) Each candidate shall file his declaration of candidacy with the  
26 county clerk.

27 (4) Each candidate who files a declaration of candidacy shall at the  
28 same time pay a filing fee of forty dollars (\$40.00) which shall be deposited  
29 in the county treasury.

30 (5) Each person who has been elected to the office of sheriff for the  
31 first time shall complete a tutorial concerning current Idaho law and rules  
32 as prescribed by the Idaho peace officers standards and training ~~academy~~  
33 council, unless the person is already certified as a chief of police, peace  
34 officer or detention deputy in the state of Idaho, and shall attend the newly  
35 elected sheriffs' school sponsored by the Idaho sheriffs' association.

36 (6) The qualifications provided in subsection (2) (c) and (e) of this  
37 section shall not apply to any person elected as sheriff prior to July 1,  
38 2023. However, such provisions shall apply to any such person running for  
39 reelection as sheriff on or subsequent to July 1, 2023.

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