

IN THE SENATE

SENATE BILL NO. 1112

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-465, IDAHO CODE, TO PROVIDE CERTAIN REQUIREMENTS FOR A SPECIAL SESSION CONVENED BY THE LEGISLATURE.

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

SECTION 1. That Chapter 4, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-465, Idaho Code, and to read as follows:

67-465. SPECIAL SESSION CONVENED BY THE LEGISLATURE. (1) When at least sixty percent (60%) of the members of the house of representatives and at least sixty percent (60%) of the members of the senate desire to convene a special session, those members must deliver, by either hand delivery or certified letter, return receipt requested, to the secretary of state a single, joint petition of the house of representatives and senate members that includes the:

- (a) Name and legislative district of each petitioner;
- (b) Handwritten or electronic signature of each petitioner, including signatures on any number of counterparts, and such counterparts shall constitute one and the same petition;
- (c) Specific subject or subjects to be considered during the special session; and
- (d) Identified need for the special session.

(2) Upon verification of the requisite percentages of signatories and elements of a petition established by this section, the secretary of state must expeditiously provide a copy of the petition to the speaker of the house of representatives and president pro tempore of the senate. Thereupon, the speaker of the house of representatives and the president pro tempore of the senate must, by joint written proclamation delivered to the secretary of state, proclaim the need and subjects for which a special session is being convened and the location, time, and date for the convocation of the session, provided that the session must not convene sooner than forty-eight (48) hours or later than fifteen (15) days after the proclamation is delivered to the secretary of state. If the speaker of the house of representatives and the president pro tempore of the senate jointly declare in the proclamation that a demonstrable emergency exists that requires immediate action by the legislature, the requirement of a forty-eight (48) hour delay to convene the session must be suspended. The secretary of state must take whatever reasonable steps necessary to expeditiously notify all members of the house of representatives and the senate and the general public of the proclamation.

(3) If at the time the secretary of state verifies the petition either the speaker of the house of representatives or the president pro tempore of the senate is deceased, has resigned, or is incapacitated, the next highest-

1 ranking member of the leadership of that officer's party must fulfill that  
2 officer's duties under this section.

3 (4) If the secretary of state determines the petition lacks the req-  
4 uisite percentages of signatories or elements of a petition established by  
5 this section, he shall notify the speaker of the house of representatives  
6 and the president pro tempore of the senate that the petition is deficient  
7 and the reasons for the deficiency and no special session shall be convened.  
8 Said petition shall not be used at any future time for the convening of the  
9 special session.

10 (5) At a special session convened pursuant to this section, no member  
11 may introduce and the legislature may not consider or pass any bills except  
12 those encompassed by the subjects specified in the proclamation and those  
13 necessary to provide for the expenses of the session and other matters inci-  
14 dental thereto.

15 (6) A special session convened pursuant to this section takes prece-  
16 dence over an extraordinary session convened by the governor during any part  
17 of the special session pursuant to the governor's authority under section 8,  
18 article III, of the constitution of the state of Idaho.

19 (7) A special session must convene in the capitol unless the speaker  
20 of the house of representatives and the president pro tempore of the senate  
21 jointly deem it unsafe or unwise to do so, in which case the session may be  
22 convened at any location in the state as jointly designated by the speaker of  
23 the house of representatives and the president pro tempore of the senate.

24 (8) The legislature sitting in special session shall determine the  
25 length of the session.