

IN THE SENATE

SENATE BILL NO. 1297

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES; AMENDING CHAPTER  
2 26, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2615,  
3 IDAHO CODE, TO PROVIDE FOR DIVISION INVESTIGATIONS AND COOPERATION; AND  
4 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 26, Title 67, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 67-2615, Idaho Code, and to read as follows:

10 67-2615. DIVISION INVESTIGATIONS AND COOPERATION. (1) Complaints,  
11 investigations, and informal proceeding records are the property of the di-  
12 vision of occupational and professional licenses and are exempt from disclo-  
13 sure under the public records act pursuant to section 74-106(9), Idaho Code.

14 (2) In addition to the authority granted to a division board or commis-  
15 sion by its respective practice act or other applicable state law, a division  
16 board or commission may participate with any other division board or commis-  
17 sion in joint investigations of licenses, permits, registrations, and cer-  
18 tificates. The division and its boards and commissions may share any inves-  
19 tigative, litigation, or compliance materials in furtherance of any joint or  
20 individual investigation initiated by a division board or commission. The  
21 internal sharing of investigative records between division boards and com-  
22 missions and their respective division staff or officials does not alter any  
23 of the disclosure exemptions set forth in chapter 1, title 74, Idaho Code.

24 (3) A subpoena issued by a division board or commission shall be en-  
25 forceable by any other division board or commission.

26 SECTION 2. An emergency existing therefor, which emergency is hereby  
27 declared to exist, this act shall be in full force and effect on and after  
28 July 1, 2022.