

IN THE SENATE

SENATE BILL NO. 1011

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO JUVENILE CORRECTIONS; AMENDING SECTION 20-533A, IDAHO CODE, TO
2 PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.
3

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

5 SECTION 1. That Section 20-533A, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 20-533A. COMPLIANCE WITH OPEN MEETINGS LAW -- EXECUTIVE SESSIONS AU-
8 THORIZED -- CONFIDENTIALITY OF RECORDS. (1) All meetings of the custody re-
9 view board of the Idaho department of juvenile corrections shall be held in
10 accordance with the open meetings law as provided in chapter 23, title 674,
11 Idaho Code, provided however:

12 (a) Deliberations and decisions of the board concerning whether or not
13 a juvenile offender shall be held in custody of the Idaho department
14 of juvenile corrections for an extended period of time past his or her
15 nineteenth birthday may be made in executive session; and

16 (b) Votes of individual members in custody decisions shall not be made
17 public, provided that the board shall maintain a record of the votes of
18 the individual members as required in subsection (2) of this section.

19 (2) A written record of the vote to retain the juvenile offender in cus-
20 tody for an extended period of time by each board member in each case reviewed
21 by that member shall be produced by the board. Such record shall be kept con-
22 fidential and privileged from disclosure, provided the record shall be made
23 available upon request to the governor, the chairman of the senate judiciary
24 and rules committee and the chairman of the house of representatives judi-
25 ciary, rules and administration committee for all lawful purposes.

26 (3) A board member or employee of the Idaho department of juvenile cor-
27 rections who distributes to any person not specifically listed in this sec-
28 tion any hearing information or records that are legally required to be kept
29 confidential shall be guilty of a misdemeanor.

30 (4) Nothing contained in this section shall prevent any person from ob-
31 taining the results of any action by the board or director of the Idaho de-
32 partment of juvenile corrections without reference to the manner in which
33 any member voted, and the board shall make such information public unless do-
34 ing so would violate public records laws.

35 (5) Nothing contained in this section shall prevent the director, des-
36 ignated staff of the director, the governor, the chairman of the senate ju-
37 diciary and rules committee or the chairman of the house of representatives
38 judiciary, rules and administration committee from attending any meeting,
39 including any executive session, of the custody review board.