

IN THE SENATE

SENATE BILL NO. 1142

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE PUBLICATION OF PROCEEDINGS BY TAXING ENTITIES; AMENDING SEC-
2 TION 31-819, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLICATION
3 OF COUNTY PROCEEDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
4 TION 59-514, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLICATION
5 OF INFORMATION REGARDING PERSONAL SERVICE CONTRACTS AND TO MAKE TECHNICAL
6 CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
7 DATE.
8

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

10 SECTION 1. That Section 31-819, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 31-819. PUBLICATION OF PROCEEDINGS. (1) ~~To~~ The board of county commis-
13 sioners shall cause to be published monthly such statement as will clearly
14 give notice to the public of all its acts and proceedings, and, shall in-
15 clude including a brief financial summary indicating the total amount spent
16 from each county fund during the month. A more detailed report of expendi-
17 tures may be published if deemed necessary by the board. Monthly publica-
18 tion of acts and proceedings shall not be required for any county that main-
19 tains a publicly accessible website on which agendas and minutes of the meet-
20 ings of the board of county commissioners are posted. Monthly publication of
21 a financial summary indicating the total amount spent from each fund during
22 the month shall be required and shall include the website link for accessing
23 agendas and meeting minutes.

24 (2) Annually, a full financial report shall be prepared and available
25 for public inspection ~~which~~ that shows for each fund the sources of income,
26 expenditures during the year, current fund balances, and other financial in-
27 formation as determined by the board. Within thirty (30) days of the annual
28 audit's preparation as provided in section 31-1701, Idaho Code, the board
29 shall cause to be published a summary of the balance sheet and a summary of
30 the statement of revenues and expenditures. Such statements as well as all
31 other public notices of proceedings of, ~~or~~ to be had before the board, not
32 otherwise specially provided for, must be published in accordance with the
33 requirements of chapter 1, title 60, Idaho Code.

34 SECTION 2. That Section 59-514, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 59-514. PUBLICATION OF CONTRACTEE, AMOUNT AND PURPOSE OF PERSONAL
37 SERVICE CONTRACTS -- DEFINITION. (1) The state of Idaho, and all taxing en-
38 tities within the state of Idaho, shall publish within fifteen (15) days of
39 entering into any personal service contract, ~~the parties, amount,~~ and a one
40 (1) sentence purpose of all such personal service contracts over ten thou-

1 sand dollars (\$10,000) annual payment, regardless of whether the moneys for
2 such contract are derived from state taxes, local taxes, federal funds, or
3 a combination of such funds; however, when such contracts are entered into
4 with a county, the publication requirements provided in this section are
5 satisfied when the required information is included in ~~the next published~~
6 ~~monthly statement pursuant to the provisions of section 31-819, Idaho Code.~~
7 ~~The publication shall be in a newspaper of general circulation within the ge-~~
8 ~~ographical area wherein such personal service is to be performed~~ the agenda
9 and minutes of open business meetings that are accessible to the public from
10 the county website.

11 (2) "Personal service" means performance for remuneration by an in-
12 dividual on a specified contractual basis of specialized professional or
13 consultive expertise germane to administration, maintenance or conduct of
14 governmental activities ~~which~~ that require intellectual or sophisticated
15 and varied services, dependent upon facilities, invention, imagination or
16 a specific talent ~~which~~ that the state or the taxing entity itself cannot
17 provide or accomplish.

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