

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 46

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1
2 RELATING TO THE MILITARY; AMENDING SECTION 46-408, IDAHO CODE, TO REVISE
3 PROVISIONS REGARDING THE AUTHORITY OF THOSE PERFORMING SECURITY DUTIES
4 AT THE ORCHARD TRAINING AREA AND TO REMOVE A POST TRAINING REQUIREMENT.

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

6 SECTION 1. That Section 46-408, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 46-408. SECURITY OF THE ORCHARD TRAINING AREA. Employees of the mili-
9 tary division of the state of Idaho who are performing security duties at the
10 Orchard training area located in Ada and Elmore counties may, in addition to
11 their power to protect and secure military property and persons, ~~arrest and~~
12 ~~detain for civil law enforcement authorities,~~ any person who commits a vio-
13 lation of the criminal laws of this state in their presence. Persons so de-
14 tained shall be released to the custody of civil law enforcement authorities
15 as soon as practicable. ~~The employees hired to perform security duties at~~
16 ~~the Orchard training area shall complete level 1 POST academy training.~~ Em-
17 ployees performing duties under this section are "employees" under sections
18 6-902, 6-903 and 6-917, Idaho Code, and are not excluded by the exceptions to
19 governmental liability under section 6-904 4. or 5., Idaho Code.