

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 665

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE CONSTITUTIONAL DEFENSE COUNCIL; AMENDING SECTION 67-6301,
2 IDAHO CODE, TO REVISE A PROVISION REGARDING MEMBERSHIP OF THE CONSTITU-
3 TIONAL DEFENSE COUNCIL; AND DECLARING AN EMERGENCY AND PROVIDING AN EF-
4 FECTIVE DATE.
5

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

7 SECTION 1. That Section 67-6301, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-6301. CONSTITUTIONAL DEFENSE COUNCIL CREATED -- MEMBERS -- POWERS
10 -- STAFF -- FUND. (1) There is hereby created the constitutional defense
11 council, which shall consist of the governor, the president pro tempore of
12 the senate, and the speaker of the house of representatives ~~and the attorney~~
13 ~~general.~~

14 (2) The purpose of the council includes, but is not limited to, restor-
15 ing, maintaining and advancing the sovereignty and authority over issues
16 that affect this state and the well-being of its citizens.

17 (3) Meetings of the council may be called by any member and decisions of
18 the council shall be made by a majority vote of the members.

19 (4) The council, in the name of the state or its citizens, may examine
20 and challenge by legal action, legislation or any other legal means:

21 (a) Federal mandates.

22 (b) Court rulings.

23 (c) The authority granted to, or assumed by, the federal government.

24 (d) Laws, regulations and practices of the federal government.

25 (e) Any other activity that is deemed appropriate by the council.

26 (f) Notwithstanding any other provision of law to the contrary, the
27 council may hire legal counsel for the purpose of this chapter and may
28 utilize staff and resources within state government.

29 (5) There is hereby established in the state treasury the constitu-
30 tional defense council fund which shall consist of appropriations, gifts,
31 grants and other council moneys. Moneys in the council fund are continuously
32 appropriated and shall be used for purposes enumerated in this chapter.

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