

STATEMENT OF PURPOSE

RS33127C1 / H0743

Some of Idaho laws governing the actions public officials, public employees, and state and local governmental entities include an enforcement mechanism for ensuring that Idaho laws are followed. Many such laws, however, do not include any specific enforcement mechanism.

In the event that public officials' oath of office, whereby they promise to uphold the laws of the State of Idaho, is insufficient to ensure that Idaho's laws are followed, this legislation provides a mechanism by which the Idaho Attorney General can go to court and force a public official, public employee, or state or local governmental entity to follow the law.

FISCAL NOTE

It is expected that the prospect of the Attorney General taking a public official, public employee, or state or local governmental entity to court to force compliance with the law, along with potential fines of up to \$50,000, and the potential withholding of state funds, if applicable, will be sufficient to recall such individuals and entities to their duty to comply with the law in the vast majority of cases. In the rare cases that go to court, the law provides that the Attorney General's costs will be covered by the party that failed to uphold the law. As a result, no fiscal impact is expected, beyond an occasional and unprognosticable fine deposited to the General Fund, or a withheld payment, appropriation, or distribution that is either deposited to the Tax Relief Fund or retained in the General Fund.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).