

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 436

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4126, IDAHO
2 CODE, TO PROVIDE FOR AN INFRACTION, TO REMOVE LANGUAGE RELATING TO A
3 MISDEMEANOR AND TO PROVIDE THAT THIS SECTION SHALL NOT AFFECT CERTAIN
4 PENALTY PROVISIONS.
5

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

7 SECTION 1. That Section 39-4126, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 39-4126. VIOLATIONS MISDEMEANORS. (1) Any person who willfully vio-
10 lates any provision of this chapter or who willfully violates any provisions
11 of the codes enumerated in this chapter or rules promulgated by the admin-
12 istrator or the board pursuant to this chapter, is guilty of ~~a misdemeanor~~
13 an infraction, and upon conviction, shall be fined not more than three hun-
14 dred dollars (\$300), ~~or imprisoned for not more than ninety (90) days or by~~
15 ~~both fine and imprisonment~~. Violations of this chapter shall be tried in any
16 court of competent jurisdiction within the state of Idaho.

17 (2) A separate violation is deemed to have occurred with respect to each
18 building not in compliance with this chapter. Each day such violation con-
19 tinues constitutes a separate offense.

20 (3) The ~~misdemeanor~~ penalty provisions of subsections (1) and (2) of
21 this section shall not apply to manufactured homes. Violations of manufac-
22 tured home construction and safety standards shall be tried in any court of
23 competent jurisdiction. This section shall not be interpreted to affect
24 penalty provisions relating to manufactured homes provided for in section
25 39-4011, Idaho Code.