

IN THE SENATE

SENATE BILL NO. 1045

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE LEGISLATURE; AMENDING SECTION 67-465, IDAHO CODE, TO REVISE
A PROVISION REGARDING INTERVENTION BY THE LEGISLATURE IN AN ACTION RE-
GARDING AN IDAHO STATUTE; AND DECLARING AN EMERGENCY AND PROVIDING AN
EFFECTIVE DATE.

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

SECTION 1. That Section 67-465, Idaho Code, be, and the same is hereby
amended to read as follows:

67-465. INTERVENTION IN ACTIONS REGARDING ~~CONSTITUTIONALITY OF A AN~~
IDAHO STATUTE. When a party to an action challenges in state or federal
court the constitutionality of an Idaho statute, facially or as applied,
challenges an Idaho statute as violating or being preempted by federal law,
or otherwise challenges the construction or validity of an Idaho statute,
either or both houses of the legislature may seek to intervene, through the
senate president pro tempore or the speaker of the house of representatives,
or both, in the action as a matter of right, or permissively, by ~~servng~~
filing a motion upon the parties in the court as provided in state or federal
rules of civil procedure, whichever is applicable.

SECTION 2. An emergency existing therefor, which emergency is hereby
declared to exist, this act shall be in full force and effect on and after
July 1, 2023.