

STATEMENT OF PURPOSE

RS29092 / #billnum

The bill creates the Federal Overreach Defense Fund and provides a one-time transfer of \$2 million to protect the state's sovereign rights against federal overreach and mandates.

FISCAL NOTE

This bill provides a one-time transfer of \$2,000,000 from the General Fund to the Federal Overreach Defense Fund.

Contact:

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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).



LEGISLATURE OF THE STATE OF IDAHO



Sixty-sixth Legislature

First Regular Session - 2021

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-451B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE FEDERAL OVERREACH LEGAL DEFENSE FUND; PROVIDING FOR AN APPROPRIATION TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 4, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-451B, Idaho Code, and to read as follows:

67-451B. FEDERAL OVERREACH LEGAL DEFENSE FUND CREATED. There is hereby created in the state treasury the federal overreach legal defense fund. The federal overreach legal defense fund shall consist of such moneys as are placed into it by appropriations and shall be continuously appropriated to the senate and the house of representatives. Any interest earned shall remain in the fund. The federal overreach legal defense fund shall be specifically exempt from the provisions of chapter 35, title 67, Idaho Code, and from the provisions of chapter 36, title 67, Idaho Code. The president pro tempore of the senate and the speaker of the house of representatives are hereby authorized to make expenditures out of the fund for any necessary legal expenses of the legislature in defending the state of Idaho from overreach by the federal government.

SECTION 2. FISCAL YEAR 2022 CASH TRANSFER TO THE FEDERAL OVERREACH LEGAL DEFENSE FUND. There is hereby appropriated and the Office of the State Controller shall transfer \$2,000,000 from the General Fund to the Federal Overreach Legal Defense Fund as soon as practicable for the period July 1, 2021, through June 30, 2022.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.