



## **Week Six Idaho Legislative Update for February 13– February 17, 2023**

The sixth week of the Sixty-Seventh Idaho Legislature's First Regular Session marks the potential halfway point of session. With the target Sine Die date being Friday, March 24, 2023, leadership continues to stay positive the Idaho Legislature will be going home on time despite the many unresolved policy issues and looming budget deadlines. Nonprivileged committees are now working through their bills and rules, and House Ways and Means has held its first committee meeting this week.

JFAC has finished the 2023 Session Budget Hearing Schedule. They are now in process of clearing the backlog of supplementals, deficiency warrants, and they wrapped up the week with discussions on CEC and total statewide budget discussions. Now that leadership has reached an agreement on how JFAC will be voting, supplementals and deficiency warrants have slowly started to work through the process. Meanwhile, many of the larger supplementals are expected to be considered alongside the FY 24 budgets this year as JFAC continues to clear the backlog. You will see relevant budgets in the "Appropriations and Budgets" section of your report as they begin to trickle in.

The House and Senate's work continues as floor sessions grow longer. We saw our first afternoon floor session in the Senate this week as they worked to process bills. Committee hearings have also grown longer and more contentious as bills receive their public input and full considerations. Once again, we see the Senate's calendar moving much slower than the House. However, the Senate has begun to use their rules to roll unanimous votes on less contentious issues as a way to speed up the process. We continued to see the House intermittently take up contentious bills on the Floor, but the Senate still awaits a long contentious floor debate on policies working through committee. This includes HB 24 - Idaho Launch which has not yet been scheduled for a hearing in the Senate Commerce and Human Resources Committee.

With the introduction deadline for unprivileged committees this week, an additional 40 new bills were introduced in various committees this week, as well as five more bills in House Ways and Means. This committee is only opened with the permission of the Speaker of the House. This committee will be utilized more and more as the session progresses. We anticipate many more bills will route through Ways and Means as session continues.

As we round out the sixth week of session, many of the social issues continue to dominate headlines, dozens of anti-local government bills continue to work their way through the house, several property tax bills have been introduced but likely won't move forward, and many other issues remain to be dealt with. We have said before, when in session in the Idaho State Capitol, an hour feels like a day, a day feels like a week, a week feels like a month and a month feels like a year. This has certainly been the case this year as many returning legislators continue to fight, and many of the freshmen have now caught on and are choosing sides and preparing for battle on several looming issues.

Notwithstanding the drama, politics, and rhetoric, many good bills continue to progress, and the legislature is working hard to achieve success, balance the budget, and serve their constituents. We remain optimistic and committed to your success and are grateful for the privilege and opportunity to represent you. While we strive to overachieve for you, please let us know if there is anything else we can do to better support and help you with the process, politics, and policies of the legislative session.

All bills from the 2023 Idaho Legislative Session are on the [Idaho State Legislative Website](#). The Governor's Budget Recommendation Highlights can be found [HERE](#). The JFAC Budget Hearing schedule can be found [HERE](#).



## Policies

### **[HB 123 – Medicaid Expansion Repeal](#) - House Health and Welfare**

This aims at repealing 56-267, Medicaid Expansion, which was passed in 2018. Due to the costs being far more drastic than originally anticipated, the sponsor and others are frustrated with the current expansion. This will also impact other sections where the expansion is referenced. The fiscal note states this will cost the state \$842.4 million due to the federal funding lost and other funds that are currently allocating funds toward the expansion.

**Sponsor: Rep. Vander Woude (R-22)**

### **[HB 26 - Relating to Children's Mental Health Services and Medicaid](#) - House Health and Welfare**

The purpose of this legislation is to amend Section 16-2428, Idaho Code, regarding confidentiality and disclosure of information records. It seeks to clarify Idaho Code in the chance of a parent or guardian to appeal or deny Medicaid or insurance coverage. It would add the word Medicaid and the phrase "to carry out the treatment plan."

**Sponsor: Rep. Erickson (R-33)**

### **[SB 1020 - Relating State Health Insurance](#) – (34-1) Passes Senate- House Commerce and Human Resources**

Would repeal the requirement for the Office of Group Insurance to publicize rules for determining the eligibility of participants in the state's health insurance plan. The eligibility is determined based on the healthcare provider.

**Sponsor: Sen. Guthrie (R-28)**

### **[SB 1075 – Relating to Homeowner Property Tax Relief](#) - Senate Local Government and Taxation**

This would be a new section to Chapter 7 Title 63 Idaho code being designated 63-724. This bill would have an impact on property tax relief for the primary residents of Idaho homeowners. The bill will dedicate 4.5% of annual sales tax revenues by subtracting a part of each homeowner's total property tax bill. For 2023 \$205 million will be appropriated from FY 2023 General fund surplus to begin this relief in the first year after the passage of the bill. The fiscal impact on state revenue will be \$205M in the first year and \$150m in the years thereafter. Replaces HB 77.

**Sponsor: Sen. Grow (R-14)**

### **[HB 78- Relating to Property Taxes](#) - House Revenue and Taxation**

This would amend Idaho Code Section 63-602G. This would restore an annual index based on the sales prices of Idaho's homes. The legislation would reestablish the homeowner's exemption amount as an accurate representation of sales prices of Idaho single-family residences. This would preface the Property Tax Fairness Act. It would enhance this by promoting fairness to all categories being the owner-occupied properties, irrespective of differences in assessed values, the percentage of assessed valuation eligible for exemption increases from 50%-55%, so long as it does not exceed \$224,360 in 2024.

**Sponsor Rep Skaug (R-12)**

### **[HB 79- Relating to School Property Taxes](#) – House Revenue and Taxation**

The purpose of this legislation would be to provide immediate, ongoing, and permanent property tax relief to school districts. It would provide \$300 million to districts based on average daily attendance. The order of payments from priority order would be payment of school bonds, school levies, expenses necessary to provide for safe school facilities and address life, safety, and health issues, and lastly school facilities that need construction. This bill would eliminate 2 of the 4 election dates that districts can run elections. It would also increase the homeowner's exemption to \$150,000, and the limitations for individuals to qualify for the circuit breaker. Both cities' and counties' obligation to fund public defense is eliminated and the funding source is permanently moved to an ongoing source of revenue.

**Sponsor: Rep Moyle (R-10)**



### **SB 1097- Medicaid Management Information Systems- Senate Health and Welfare**

This legislation is to add into section Medicaid management information system, that there is created a general fund for future mandatory Medicaid MMIS procurement an installation requirement without requiring a separate request for funding.

### **HB 162 – Virtual Health Care - House Health and Welfare Committees**

This updates the Telehealth Access Act to the Virtual Care Access Act. Allows for virtual health care patient and provider relationships may be established, allowing providers to prescribe prescription drugs. It also adds a new section stating the Idaho Legislature understands virtual care is an additional way that care can be delivered to increase outcomes, early detection, and prevention. Prescriptions may not be prescribed through a set questionnaire online but can be administered through all other virtual care as long as the prescription is for a legitimate medical purpose and is in the provider's scope of practice. The location of the patient, not provider, is what will deem how this allow applies.

**Sponsor: Rep. Redman (R-3)**

## **Appropriations and Budgets**

As appropriations that are of interest to you start arising, they will appear under this section.

## **Rules**

[HERE](#) is the link for the Index of all Pending Rules seeking legislative approval. Committees in both the House and Senate are assigned rules to approve. As a reminder, if a rules docket passes either House or the Senate, they are set to go into effect but need to be enacted by legislation or executive order. Once a pending rule is approved, a (+) symbol will appear in front of the docket number. If a pending rule is not approved by the Legislature a (-) will appear in front of the docket number.

### **IDAPA 18 – DEPARTMENT OF INSURANCE**

(+) [18-0701-2201](#) - Acquiring Control, Insurance Holding Company Systems and Mutual Insurance Holding Companies (ZBR)

(+) [18-0702-2201](#) - Reserve Liabilities and Minimum Valuations for Annuities and Pure Endowment Contracts – (ZBR Chapter Rewrite)

(+) [18-0703-2201](#) - Valuation of Life Insurance Policies Including the Use of Select Mortality Factors (ZBR Chapter Rewrite)

[18-0708-2201](#) - Property and Casualty Actuarial Opinion Rule – (ZBR Chapter Rewrite)

### **IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

[16-0309-2201](#) - Medicaid Basic Plan Benefits – (Pending Rule)

[16-0317-2201](#) - Medicare/Medicaid Coordinated Plan Benefits - (ZBR)

### **IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)**

(+) [59-0101-2201](#) - Public Employee Retirement System of Idaho (PERSI) – (Notice of Proposed Rulemaking)



## **Appointments**

Appointments approved by Senate Committees, are confirmed by the full Senate.

- Rod Higgins was confirmed by the Senate to the State Insurance Fund Board on January 24, 2023.
- Terry Gestrin was confirmed by the Senate to the State Insurance Fund Board on January 24, 2023.