

VI. LEGISLATION – POLICIES – GUIDELINES

A. Legislation – 2025 Session Overview – Information Item

Public Library Consultant Clay Ritter compiled the following summary of some bills that passed during the 2025 session:

House Bill 212: Raises the threshold for a Library district creation petition from 50 signatures to not less than 20% of the qualified electors who reside within the boundaries of the proposed district. Effective 07/01/2025.

Possible Impact to Libraries: Districting initiatives will now have a 20% of the qualified electors threshold. This may work for or against some library district initiatives.

House Bill 253: Changes Public Records law to define a resident and then gives additional guidance as to resident records requests versus non-resident records requests. Changes the restriction from actual costs for non-residents. Gives additional time to complete a request for non-residents. Effective 07/01/2025.

Possible Impact to Libraries: Libraries will need to update their records request policies and forms to align with the changes in timeline and costs if they wish to separate resident and non-resident requests. They may also need to change their fee schedule if they are charging a different fee for non-residents.

House Bill 142: Raises the threshold for required Independent Financial Audits of Local Government entities. Effective 07/01/2025.

Possible Impact to Libraries: The minimum threshold for a district library or city (with the library budget included) to conduct an annual audit was raised from \$250,000 to \$300,000. And a biennial audit from \$150,000 to \$200,000.

Senate Bill 1118: Raises the minimum thresholds for bidding and the specific procedures for acquiring public works construction and services or personal property. Effective 07/01/2025.

Possible Impact to Libraries: This will raise the thresholds for the above bidding and procurement requirements.

House Bill 56: Changes the threshold for bidding guidance under 67-5711C for construction of public projects. Effective 07/01/2025.

Possible Impact to Libraries: This will raise the thresholds for the above bidding and procurement requirements.

House Bill 96: Restricts the flying of flags by governmental entities. Effective upon being signed into law.

Possible Impact to Libraries: Library staff should consult the law and an attorney if flying any flag not listed directly in the statute.

Intent language inserted into the ICfL's budget bill (SB1196) included the following:

SECTION 3. USE OF APPROPRIATED FUNDS. State-appropriated funds shall not be utilized to support diversity, equity, inclusion, or social justice 36 ideology as part of any activities, clubs, events, or organizations. Each library that receives state-appropriated funds shall submit a written report of its expenditures related to these activities to the Joint Finance-Appropriations Committee and the Budget and Policy Analysis Division of the Legislative Services Office no later than December 1, 2025.

SECTION 4. PROVIDING FOR A REPORT ON STATUTORY ADHERENCE. The Idaho Commission for Libraries shall designate an existing employee to confirm by means of affidavit that state libraries adhere to Section 18-1517B, Idaho Code. The designated employee shall also coordinate with the Department of Education to confirm by means of affidavit that schools libraries adhere to Sections 18-1517B and 33-137, Idaho Code. The Idaho Commission for Libraries shall provide a report to the Joint Finance-Appropriations Committee no later than December 1, 2025, including the commission's findings. The report and information contained therein shall be determined by the Budget and Policy Analysis Division of the Legislative Services Office.

SECTION 5. FEDERAL FUNDING RESTRICTIONS. Pursuant to Section 14 67-3511(2), Idaho Code, legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature. Appropriations made pursuant to this act contingent on anticipated federal funding, grants, or programs shall not be supplanted by state funds in the event of any reduction or elimination of such federal support without legislative approval. The agency receiving the appropriation shall take all necessary actions to ensure that the state is not obligated to replace lost 21 federal funds. Pursuant to Section 67-1917, Idaho Code, the agency will 22 submit an inventory of federal funds utilized by the agency. State funds ap23 propriated to satisfy match requirements for federal funds shall be reverted 24 to the maximum extent possible if federal funds requiring match are reduced 25 or eliminated. The agency shall promptly notify the Budget and Policy Analysis Division of the Legislative Services Office of any significant changes 27 to related federal funding, grants, or programs.

SECTION 6. CONDITIONS, LIMITATIONS, AND RESTRICTIONS. Appropriations made pursuant to this act are subject to the conditions, limitations, and restrictions specified in this act.

SECTION 7. 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, 2025.