

CITY *of* BOISE

LEGISLATIVE SESSION REPORT

January – March 2022



The 2022 Legislative Session kicked off on January 10, 2022, lasting twelve weeks before the Senate and House of Representatives adjourned Sine Die on March 31, 2022. This year’s legislative session was markedly shorter than 2021 due in part to the redrawing of legislative district boundaries and a looming May Primary Election that encouraged a much earlier adjournment date.

In the lead up to this year’s session, the City of Boise spent the interim working to provide Boise lawmakers and other stakeholders with information regarding the dire need to address housing affordability at the state level. The City’s main priorities for this year were to preserve and expand access to affordable housing, with targeted goals of expanding access to property tax relief for residential property owners, ensuring tenant rights were preserved, and supporting the establishment of gap financing to increase the construction of affordable housing projects.

In addition to housing issues being a key priority this session, lawmakers continued to focus on the ongoing COVID-19 pandemic. Efforts included limits on mask and vaccine requirements, restrictions on government and private employer rights to enact health and safety measures, as well as additional scrutiny on American Rescue Plan Act (ARPA) funds intended to help Idahoans continue to economically recover from the pandemic with investments focused on housing, childcare, broadband access, telehealth access and more.

Below is a full list of the all the key bills the City of Boise engaged on this session. The bills are organized by their impact on the city’s key strategic priorities and includes a synopsis of the bill’s context, what position the city took on the bill, and final action taken by the Legislature and/or Governor.

To review our work throughout the session, be sure to follow our Government Affairs legislative page for weekly updates: <https://www.cityofboise.org/departments/mayor/government-affairs/city-of-boise-legislative-updates/>.

HB 631	Mask Mandate Preemption	OPPOSE
<p>HB 631 would have prohibited the State of Idaho and local municipalities from requiring the use of face coverings to prevent or slow the spread of a contagious or infectious disease, limiting how local governments respond to public health emergencies; specifically, the ability to enact measures that are not provided at the state level. In our response to the COVID-19 pandemic, the City of Boise focused our efforts on education and partnership and worked closely with our local business community to enact reasonable mask requirements that allow businesses to remain open while complying with state and national public health guidelines.</p>		
BILL STATUS:	Passed the House; Held in Senate State Affairs Committee	

HB 708	Restrictions on Health Measures at Public Events	OPPOSE
<p>HB 708 would have removed local authority for municipalities to enact public health and safety measures for events held at public municipal venues and/or facilities. Under the bill it would have specifically prohibited testing and vaccine requirements in order to enter or remain in a government venue. The City of Boise has a special events team that works with private event organizers to ensure health and safety measures – such as food licensing, emergency response coordination and sanitation measures – are in place for community events. By removing vaccine and/or testing standards during an ongoing pandemic restricts how best to ensure community events can continue to be held while also responding to the current needs of the COVID-19 pandemic, especially when the city is asked to accommodate the health measures self-imposed by private event organizers.</p>		
BILL STATUS:	Passed the House; Held in Senate State Affairs Committee	

SB 1381	Coronavirus Pause Act	OPPOSE
<p>Much like HB 708, SB 1381 attempted to enact restrictions on both private and public entities from enacting any vaccine requirements related to employment, event ticketing, receipt of government services or access to a public facility. Under SB 1381, the City of Boise would no longer be able to enact its new-hire vaccination policy for employees hired after January 1, 2022. Additionally, the bill would have impacted the City’s ability to impose public event health restrictions or work with private event organizers to accommodate their own self-imposed vaccine requirements for their events.</p>		
BILL STATUS:	Passed by the Senate and House; Vetoed by Gov. Little on March 28, 2022	

HB 442	Security Deposit Ordinance Preemption	OPPOSE
<p>HB 442 returned for a second year (2021 Legislative Session - HB 45) with the intent to prohibit local governments from taking reasonable measures on rental fees, applications fees and security deposits, preventing them from appropriately determining how to regulate the rental housing market so that it serves the best interest of both tenants and landlords in their community. In 2019, the Boise City Council adopted a Rental Fee Application Ordinance that outlines application criteria for rentals, requirements for property owners, a set amount for rental fees, rules for current tenants, and potential fines. This ordinance creates greater transparency in the assessment and processing of rental application fees, and helps renters better manage the fees associated with rental applications. In a competitive housing market, local housing ordinances ensure renters have equitable access to shelter that is affordable and allows landlords to navigate a clear process for reviewing tenant applications.</p>		
BILL STATUS:	Passed the House; Held in Senate Commerce and Human Resources Committee	

HB 481	Enhancements to Idaho's Circuit Breaker Program	SUPPORT
<p>HB 481 is a companion bill to HB 389 (2021 Legislative Session) that enacted a means test to Idaho's circuit breaker program. Under HB 481, it alters the new means test by raising the property value threshold used to determine one's participation in the property relief program to \$300,000 or 150% of the median assessed value of homes within a particular county – whichever rate is better for the homeowner. In doing so, it will allow residents who lost their much-needed property tax assistance to rejoin the program, and the increased percentage threshold (versus a stated home value) will allow the program criteria and relief to expand as home prices continue to increase.</p>		
BILL STATUS:	Passed the House and Senate; Signed into law by Gov. Little on March 25, 2022	

HB 550	Municipal Property Tax Rebates	SUPPORT
<p>HB 550 authorizes municipalities to create their own city-based property tax relief program via the authorization of tax rebates. In doing so, it allows municipal governments to create their own localized circuit breaker program to provide tax relief to residents in need of assistance of paying their residential property taxes. This program can be modeled after the state circuit breaker program, which prioritizes low-income residents, seniors, and individuals with disabilities to receive assistance in paying their annual property tax bill.</p>		
BILL STATUS:	Passed the House and Senate; Signed into law by Gov. Little on March 21, 2022	

HB 624	Rental Fee Increase Notice	SUPPORT
<p>HB 624 would have required that landlords provide their tenants with a 60-day notice prior to any rent changes. During such an extremely competitive rental market (Boise has a less than 2% vacancy rate currently; a healthy vacancy rate for a community should be between 5-8%) this additional notice time for tenants is critically important to allow them to make decisions about their current living situation or to begin the search for alternative housing options. The City of Boise supported this tenant-protection effort to ensure that no Boisean loses access to affordable housing.</p>		
BILL STATUS:	Held in House Judiciary, Rules and Administration Committee	

HB 648	Municipal Budget Restrictions	OPPOSE
<p>HB 648 would have restricted municipal budgets by limiting access to property tax revenues in exchange for a more volatile revenue stream via sales tax funds. By requiring local governments to utilize sales tax revenue as larger portion of their budget, it subjects their budget to a more volatile revenue stream that largely fluctuates with the overall health of the economy. In doing so, it jeopardizes municipalities' ability to provide necessary city services, particularly during periods of high community growth.</p>		
BILL STATUS:	Passed the House; Held in Senate Local Government & Taxation Committee	



A HOME FOR EVERYONE

HB 701	Workforce Housing Trust Fund	SUPPORT
<p>HB 701 establishes an Idaho workforce housing trust fund for the purpose of providing gap financing to developers to further incentivize the creation of affordable workforce housing. The legislation outlines how the appropriation of money into the trust fund will be utilized by the Idaho Housing and Finance Association, including priorities around local government support for housing projects as well as a rural set-aside for funds.</p>		
BILL STATUS:	Passed the House and Senate; Signed into law by Gov. Little on March 28, 2022	

HB 730	Statewide Rental Application Protections	SUPPORT
<p>HB 730 would have enacted statewide protections for renters navigating the rental application process. Under the proposal, which closely mirrored the City’s own rental application fee ordinance, it would have prevented landlords and property managers from accepting more applications than they have available units for rent. Additionally, it would have prevented landlords and property managers from using the application process to unfairly increase their profit margin.</p>		
BILL STATUS:	Passed the House Judiciary, Rules & Administration Committee; Failed on the House floor	

HB 742	Appropriation for Emergency Rental Assistance	SUPPORT
<p>HB 742 is an appropriation bill that provides an additional \$38 million into the State’s emergency rental assistance program (ERAP). This COVID-19 relief funding, provided under the American Rescue Plan, is to ensure that renters who are unable to pay their rent or utility bills are able to remain housed by using ERAP funds to cover their costs. The City of Boise has been running its own Boise-focused ERAP program in partnership with the Boise City/Ada County Housing Authority, and the additional funds available at the state level will help ensure Boise’s program continues to have funding as needed.</p>		
BILL STATUS:	Passed the House and Senate; Signed into law by Gov. Little on March 23, 2022	



A CLEAN CITY FOR EVERYONE

HB 660	Energy Building Code Preemption	OPPOSE
<p>HB 660 returned for a second year in a row (2021 Legislative Session - HB 274) and will create the Idaho Energy Conservation Code to regulate municipal ordinances that address energy needs at the local level. Despite a non-retroactivity clause that protects the City’s current energy code, this bill creates state baselines for energy code standards that must be approved by the Legislature, versus the current practice which allows for rulemaking through the Idaho Building Code Board. Under this proposal, the City is prevented from further implementing any localized energy code ordinances above state standards without full legislative approval.</p>		
BILL STATUS:	Passed the House and Senate; Signed into law by Gov. Little on March 28, 2022	



ENGAGING EVERYONE

HB 531	Legislative Approval for Monuments Removal	OPPOSE
<p>HB 531 returned again this year (2021 Legislative Session - HB 90) and would have required that local governments secure a two-thirds vote by the Idaho State Historical Society in order to remove any local monument or public art piece that depicts a “historical event.” If HB 531 were to have been enacted, it would have complicated the maintenance of public art, memorials, and monuments and removed local decision making on community spaces.</p>		
BILL STATUS:	Passed the House; Held in Senate State Affairs Committee	

HB 666	Criminalizing Librarians	OPPOSE
<p>HB 666 would have removed an exemption for schools, public libraries, universities, and museums – as well as individuals acting in their capacity as an employee of these organizations – from prosecution for disseminating material harmful to minors. This exemption is vital to ensure library employees are able to follow locally determined policies around which materials are permitted for distribution, without the risk of private legal action based on subjective interpretation of what is considered “harmful” material. Idaho libraries, including the City of Boise’s public libraries, already have a process for separating library materials with appropriate flags to guide age-appropriate content, which is done in partnership with elected and/or appointed trustee members and librarians who know and are well-connected with their specific community.</p>		
BILL STATUS:	Passed the House; Held in Senate State Affairs Committee	

HB 775	Refugee Resettlement Notification	OPPOSE
<p>HB 775 would have required refugee resettlement organizations to report to county and city leaders which of their clients were resettled in a specific community in order to maintain their tax-exempt status. Local governments already work closely with resettlement agencies to support refugees in their community and refugees are among the most vigorously vetted group of people in the US who are required to pass multiple security screenings and background checks. However, by requiring additional reporting of refugee information to local governments, it risks the privacy rights of refugee community members whose information could have been inappropriately accessed to identify, harm, intimidate or harass them.</p>		
BILL STATUS:	Passed the House; Held in Senate State Affairs Committee	

