

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE)
IDAHO MISDEMEANOR CRIMINAL)
RULES)
_____)

ORDER

The Court, having received a recommendation to amend the Idaho Misdemeanor Criminal Rules, and

WHEREAS, the Court has reviewed House Bill 126 of the 2021 legislative session that was signed into law effective April 16, 2021; and

WHEREAS, Idaho Misdemeanor Criminal Rule 13 provides a bond schedule for persons arrested on misdemeanor charges, and Idaho Misdemeanor Criminal Rule 14 provides for the disposition of citations by written plea of guilty; and

WHEREAS, recognizing that some low risk and lesser included offenses may not be included in the bond schedule, resulting in unnecessary detention; and the Court being fully informed as to the recommended rule changes,

NOW, THEREFORE, IT IS ORDERED that the Misdemeanor Criminal Rules as they appear in the volume published by the Idaho Code Commission are amended as follows:

1. That Misdemeanor Criminal Rule 13(b) is amended as follows:

Rule 13. Bail Bond Schedule

* * *

- (a) **Bail bond schedule.** Except as provided above, the bail bond required for specific alleged offenses pending arraignment or trial shall be as follows:

Idaho Code	Offense	Bail Bond
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(7) OTHER MISDEMEANOR OFFENSES:

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<u>67-2921</u>	<u>Possession of Industrial Hemp without a License</u> <u>(First Offense)</u>	<u>\$307.50</u>
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<u>67-2921</u>	<u>Possession of Industrial Hemp without a License</u> <u>(Second Offense)</u>	<u>\$457.50</u>
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<u>Other</u>	<u>Other Misdemeanor</u>	<u>\$300.00</u>
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2. That Misdemeanor Criminal Rule 14 is amended as follows:

Rule 14. Disposition of Citations by Written Plea of Guilty - Limitations - Deferred Payment Agreements.

* * *

(b) Limitation on offenses for written plea of guilty. A written plea of guilty can be accepted under subsection (a) of this rule only if the required bail bond under Rule 13 does not exceed:

(1) \$276.00 for a motor vehicle offense.

(2) \$582.00 for offenses under I.C. Sections 49-432, 49-432(2)(a), 49-432(2)(b), 63-2450, and 63-2455.

(3) \$4,103.50 for offenses under I.C. Sections 49-1001, 49-1002, 49-1004, and 49-1005; \$421.00 for violations of I.C. Sections 49-1427, and Rules under I.C. Section 67-2901A and \$276.00 for the other offenses listed under Rule 13(b)(3).

(4) \$191.00 for any fish or game offense, except those where the citation indicates the offense requires suspension of a license or payment of a civil penalty.

(5) \$457.50 for offenses under I.C. Section 67-2921.

~~(6)~~ \$276.00 for any other offense.

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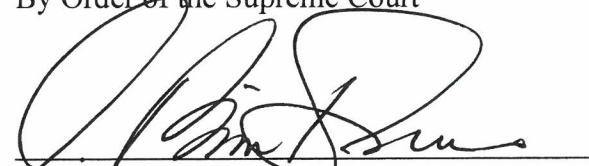
IT IS FURTHER ORDERED, that this order and these amendments shall be effective immediately, and shall remain in effect until further order of this Court.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Misdemeanor Criminal Rules.

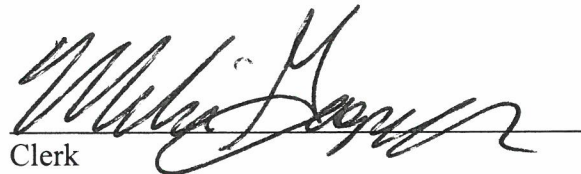
IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 25th day of June, 2021.

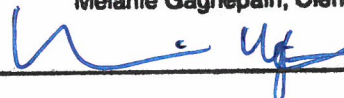
By Order of the Supreme Court


G. Richard Bevan, Chief Justice

ATTEST:


Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 6-29-21
Melanie Gagnepain, Clerk

By  Deputy