

Idaho – State Public Record Laws

Citations	<p>Idaho Code §§ 9-337 through 9-350</p> <ul style="list-style-type: none"> ▪ (https://legislature.idaho.gov/statutesrules/idstat/Title74/T74CH1/)
Exemptions to Disclosure	<p>The following records are exempt from disclosure:</p> <ul style="list-style-type: none"> • Trade secrets, where a “trade secret” is defined as “information, including a formula, pattern, compilation, program, computer program, device, method, technique, process, or unpublished or in progress research that: (a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and (b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” • Proprietary info • Records of lab results re: food quality • Reports identifying electrical or natural or manufactured gas consumption data for an individual customer or account • Voluntarily prepared environmental audits, and voluntary disclosures of info submitted on or before December 31, 1997 to an environmental agency, which are claimed to be confidential business information • Computer programs (but not the data they produce or store, etc.) • All records copied or obtained by the director of the dept. of agriculture as a result of an inspection (except records otherwise deemed not exempt from disclosure and inspection reports and determinations of compliance/noncompliance) • All data and info collected by the division of animal industries • Results of lab tests which have no known adverse impacts to human health conducted by the Idaho state dept of agriculture animal health lab, related to diagnosis of animal diseases of individual animals or herds, or samples submitted by vets or animal owners, unless the results indicate the presence of a state or federally reportable or regulated disease in animals, release is req'd by law, or test result otherwise has been identified as representing a threat to animal or human health or to the livestock industry – such determination to be made by the Idaho state dept. of agriculture or the US dept of agriculture • Academic research not yet made public
Access Rights	<ul style="list-style-type: none"> • Every person • Presumption of open access • May have to reveal identity to custodian if seeking records with personal info (show you are the subject) • May have to reveal to custodian if purpose is to use the record for purposes of a mailing or telephone list prohibited under Section 9-348 of the Code • Custodian may supervise you while you are inspecting/copying records • Certain fees; can be waived if show that copying records is likely to contribute significantly to the public’s understanding of the operations or activities of the government; Is not primarily in the individual interest of the requester including, but not limited to, the requester's interest in litigation in which the requester is or may become a party; and will not occur if fees are charged because the requester has insufficient financial resources to pay such fees. • Can disclose identifying info of persons, unless prohibited by law.

	<ul style="list-style-type: none">• If the information sought contains both public records and exempted records the custodian must separate the exempted and the nonexempt material and make the nonexempt material available (Idaho Code § 74-112)
Destruction of Public Records	<ul style="list-style-type: none">• Records can only be disposed of according to that agency's retention schedule• Retention schedule citation - Idaho Code § 31-871