

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 106

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO PROHIBITIONS ON UTILITY CONNECTIONS; AMENDING CHAPTER 8, TITLE  
2 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-881, IDAHO CODE, TO  
3 PROHIBIT A COUNTY FROM RESTRICTING THE CONNECTION OF CERTAIN UTILITY  
4 SERVICES; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF  
5 A NEW SECTION 50-346, IDAHO CODE, TO PROHIBIT A MUNICIPALITY FROM RE-  
6 STRICTING THE CONNECTION OF CERTAIN UTILITY SERVICES; AND DECLARING AN  
7 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 8, Title 31, Idaho Code, be, and the same is  
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
12 ignated as Section 31-881, Idaho Code, and to read as follows:

13 31-881. COUNTY PROHIBITIONS ON UTILITY CONNECTIONS. No county, in-  
14 corporated or unincorporated area, special use district, or any other local  
15 government entity of any kind may enact or implement any resolution, policy,  
16 or ordinance that:

17 (1) Prohibits, or has the effect of prohibiting, the authorized connec-  
18 tion or reconnection of an electric, natural gas, propane, or other energy  
19 utility service provided by a public utility, municipality, or cooperative  
20 utility;

21 (2) Restricts, or has the effect of restricting, the source of the elec-  
22 tricity, natural gas, propane, or other energy utility service provided by a  
23 public utility, municipality, or cooperative utility; or

24 (3) Requires residents or businesses within the county to use a par-  
25 ticular type or generation source of electricity, natural gas, propane, or  
26 other fuel.

27 SECTION 2. That Chapter 3, Title 50, Idaho Code, be, and the same is  
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
29 ignated as Section 50-346, Idaho Code, and to read as follows:

30 50-346. MUNICIPALITY PROHIBITIONS ON UTILITY CONNECTIONS. No munici-  
31 pality, city, incorporated or unincorporated area, special use district, or  
32 any other local government entity of any kind may enact or implement any res-  
33 olution, policy, or ordinance that:

34 (1) Prohibits, or has the effect of prohibiting, the authorized connec-  
35 tion or reconnection of an electric, natural gas, propane, or other energy  
36 utility service provided by a public utility, municipality, or cooperative  
37 utility;

38 (2) Restricts, or has the effect of restricting, the source of the elec-  
39 tricity, natural gas, propane, or other energy utility service provided by a  
40 public utility, municipality, or cooperative utility; or

1           (3) Requires residents or businesses within the municipality to use a  
2 particular type or generation source of electricity, natural gas, propane,  
3 or other fuel.

4           SECTION 3. An emergency existing therefor, which emergency is hereby  
5 declared to exist, this act shall be in full force and effect on and after  
6 July 1, 2023.