

IN THE SENATE

SENATE BILL NO. 1158, As Amended

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO JUDGMENTS IN CIVIL ACTIONS; AMENDING SECTION 11-605, IDAHO CODE,
TO REVISE A PROVISION REGARDING AN EXEMPTION FOR CERTAIN MOTOR VEHICLES;
AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 11-605, Idaho Code, be, and the same is hereby amended to read as follows:

11-605. EXEMPTIONS OF PERSONAL PROPERTY AND DISPOSABLE EARNINGS SUBJECT TO VALUE LIMITATIONS. (1) An individual is entitled to exemption of the following property to the extent of a value not exceeding one thousand dollars (\$1,000) on any one (1) item of property and not to exceed a total value of seven thousand five hundred dollars (\$7,500) for all items exempted under this subsection:

(a) Household furnishings, household goods, and appliances held primarily for the personal, family, or household use of the individual or a dependent of the individual;

(b) If reasonably held for the personal use of the individual or a dependent, wearing apparel, animals, books, and musical instruments; and

(c) Family portraits and heirlooms of particular sentimental value to the individual.

(2) An individual is entitled to exemption of jewelry, not exceeding one thousand dollars (\$1,000) in aggregate value, if held for the personal use of the individual.

(3) An individual is entitled to exemption, not exceeding ten thousand dollars (\$10,000) in aggregate value, of implements, professional books, business equipment and tools of the trade; and to an exemption of one (1) motor vehicle to the extent of a value not exceeding ten thousand dollars (\$10,000). For the purposes of this section, "motor vehicle" means a vehicle that is designed to be propelled by its own power and to lawfully transport persons or property on any interstate highways and shall include a motor vehicle that is not registered, insured, or operable.

(4) An individual is entitled to an exemption of provisions of food or water, together with storage containers and shelving, sufficient for twelve (12) months for use of the individual or a dependent or dependents of the individual.

(5) All courthouses, jails, public offices and buildings, schoolhouses, lots, grounds and personal property appertaining thereto, the fixtures, furniture, books, papers and appurtenances belonging and pertaining to the courthouse, jail and public offices belonging to any county of this state, or for the use of schools, and all cemeteries, public squares, parks and places, public buildings, town halls, markets, buildings for the use of fire departments and military organizations, and the lots and grounds

1 thereto belonging and appertaining, owned or held by any town or incorpo-
2 rated city, or dedicated by such town or city to health, ornament or public
3 use, or for the use of any fire or military company organized under the laws
4 of this state. No article or species of property mentioned in this section is
5 exempt from execution issued upon a judgment recovered for its price or upon
6 a mortgage thereon.

7 (6) An individual is entitled to an exemption of all arms, uniforms and
8 accoutrements required for the use of an individual as a peace officer, a
9 member of the national guard or military service.

10 (7) An individual is entitled to an exemption of a water right not to
11 exceed one hundred sixty (160) inches of water used for the irrigation of
12 lands actually cultivated by the individual, and the crop or crops growing or
13 grown on fifty (50) acres of land, leased, owned or possessed by an individ-
14 ual cultivating the same, provided, that the amount of the crops so exempted
15 shall not exceed the value of five thousand dollars (\$5,000).

16 (8) An individual is entitled to exemption of one (1) firearm valued at
17 one thousand five hundred dollars (\$1,500), or less.

18 (9) An individual is entitled to an exemption of any life insurance con-
19 tract owned by an individual, other than a credit life insurance contract,
20 including, but not limited to, any accrued dividend or interest under, loan
21 value of, or cash surrender value of, such life insurance contract owned by
22 the individual, excluding accrued dividends, interest, loan value, and/or
23 cash surrender value resulting from premiums paid into the life insurance
24 contract within six (6) months prior to the filing of a bankruptcy petition,
25 as defined in 11 U.S.C. 101, or the date of attachment or levy on execution,
26 as defined in section 11-201, Idaho Code, whichever is applicable.

27 (10) An individual is entitled to an exemption of the individual's ag-
28 gregate interest in any tangible personal property, not to exceed the value
29 of one thousand five hundred dollars (\$1,500).

30 (11) An individual is entitled to an exemption for his disposable earn-
31 ings as defined in subsection 2. of section 11-206, Idaho Code, wages,
32 salaries, and compensation for personal services rendered, to the extent
33 such earnings, wages, salaries, and compensation have been earned but have
34 not been paid to the individual, not to exceed two thousand five hundred
35 dollars (\$2,500) in a calendar year. This exemption shall not affect the ap-
36 plication or operation of the garnishment restrictions set forth in section
37 11-207, Idaho Code.

38 SECTION 2. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after
40 July 1, 2023.