

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 97

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE STATE DISASTER PREPAREDNESS ACT; AMENDING CHAPTER 10, TITLE
2 46, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 46-1008A, IDAHO CODE,
3 TO PROVIDE FOR PERSONS WHO VOLUNTARILY CHOOSE NOT TO COMPLY WITH EVAC-
4 UATION ORDERS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
5 DATE.
6

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

8 SECTION 1. That Chapter 10, Title 46, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 46-1008A, Idaho Code, and to read as follows:

11 46-1008A. EVACUATION ORDERS -- VOLUNTARY NONCOMPLIANCE. (1) Notwith-
12 standing any other provision of law to the contrary, a person may choose not
13 to evacuate his home despite being ordered or compelled to do so pursuant to
14 the provisions of this chapter.

15 (2) A person who chooses not to evacuate pursuant to subsection (1) of
16 this section shall:

17 (a) Accept all of the risks and liabilities of his decision not to evac-
18 uate; and

19 (b) Reimburse a governmental entity, or a nonprofit agency cooperating
20 with a governmental entity, if such entity conducts a rescue on behalf
21 of a person who previously chose not to evacuate despite being ordered
22 or compelled to do so pursuant to the provisions of this chapter.

23 SECTION 2. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after
25 July 1, 2025.