

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 125

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO RIOTS; AMENDING SECTION 18-6402, IDAHO CODE, TO PROVIDE A
PENALTY AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY
AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 18-6402, Idaho Code, be, and the same is hereby
amended to read as follows:

18-6402. RIOT -- FELONY -- MISDEMEANOR -- PUNISHMENT. (1) A riot is a
felony if:

(a) It occurs on or about the state penitentiary, a county or city
jail, or any other penal facility in this state, or it involves the tak-
ing of one (1) or more hostages. Violation of the provisions of this
~~subsection~~ paragraph is punishable by imprisonment in the state peni-
tentiary for not less than five (5) years, ~~no~~ nor more than twenty (20)
years, or a fine not to exceed twenty-five thousand dollars (\$25,000),
or both such fine and imprisonment;

(b) The destruction or damage to public or private property exceeds
five hundred dollars (\$500). Violation of the provisions of this
~~subsection~~ paragraph is punishable by imprisonment in the state peni-
tentiary for not more than five (5) years or a fine not to exceed ten
thousand dollars (\$10,000), or both such fine and imprisonment; or

(c) It results in physical injury to any person. Violation of the pro-
visions of this paragraph is punishable by imprisonment in the state
penitentiary for not more than five (5) years or a fine not to exceed ten
thousand dollars (\$10,000), or both such fine and imprisonment.

(2) A riot is a misdemeanor in all other circumstances punishable by im-
prisonment in the city or county jail for not more than one (1) year and a fine
not to exceed five thousand dollars (\$5,000).

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