

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 150

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO HOMESTEADS; REPEALING SECTION 55-1007, IDAHO CODE, RELATING TO  
2 CONVEYANCE OR ENCUMBRANCE BY HUSBAND AND WIFE; AMENDING CHAPTER 10,  
3 TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1007, IDAHO  
4 CODE, TO ESTABLISH PROVISIONS REGARDING CONVEYANCE OR ENCUMBRANCE BY A  
5 MARRIED COUPLE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE  
6 DATE.  
7

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

9 SECTION 1. That Section [55-1007](#), Idaho Code, be, and the same is hereby  
10 repealed.

11 SECTION 2. That Chapter 10, Title 55, Idaho Code, be, and the same is  
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
13 ignated as Section 55-1007, Idaho Code, and to read as follows:

14 55-1007. CONVEYANCE OR ENCUMBRANCE BY A MARRIED COUPLE. The homestead  
15 of a married person shall not be conveyed or encumbered by a spouse with-  
16 out the consent of the other spouse. The consent shall be evidenced by each  
17 spouse executing and acknowledging the instrument by which the homestead is  
18 conveyed or encumbered. Either spouse may execute a power of attorney au-  
19 thorizing the other spouse to convey or encumber the homestead. Consent of  
20 a spouse who is not an owner of the homestead shall not be required if the  
21 homestead is conveyed or encumbered by a spouse who has sole ownership of the  
22 homestead as separate property.

23 SECTION 3. 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.