

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 348

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO LOCAL LAND USE PLANNING; AMENDING CHAPTER 65, TITLE 67, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 67-6512A, IDAHO CODE, TO ESTAB-
3 LISH PROVISIONS REGARDING CONDITIONAL USE PERMITS FOR CONSTRUCTION OF
4 ENERGY FACILITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
5 TIVE DATE.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 65, Title 67, 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 67-6512A, Idaho Code, and to read as follows:

11 67-6512A. ENERGY FACILITIES -- CONDITIONAL USE PERMITS REQUIRED. (1)
12 In addition to any other requirements provided by law, each governing board
13 shall require a conditional use permit for the construction of any energy fa-
14 cility as defined in section 67-2352, Idaho Code. Application for such con-
15 ditional use permit shall be subject to the provisions of section 67-6512,
16 Idaho Code. A condition shall be attached to each permit that requires the
17 energy facility to offer for purchase the electricity generated from the fa-
18 cility first to any electric supplier as defined in section 61-332A, Idaho
19 Code, that furnishes electric service to Idaho consumers before making an
20 offer to any other electric supplier that does not furnish electric service
21 to Idaho consumers. Such electricity shall be offered for purchase to the
22 electric supplier furnishing electric service to Idaho consumers at the mar-
23 ket price existing at the time of the offer.

24 (2) Any conditional use permit granted for the construction of an en-
25 ergy facility that does not comply with the provisions of this section shall
26 be void.

27 (3) The provisions of this section shall be null, void and of no force
28 and effect on and after July 1, 2030.

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