

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 121

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO EXEMPTIONS FROM ATTACHMENT; REPEALING SECTION 11-204, IDAHO
2 CODE, RELATING TO EXEMPTION IN FAVOR OF MARRIED WOMAN; AMENDING CHAPTER
3 2, TITLE 11, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 11-204, IDAHO
4 CODE, TO PROVIDE THAT ALL REAL AND PERSONAL PROPERTY OF ANY MARRIED PER-
5 SON AT THE TIME OF HIS OR HER MARRIAGE, OR WHICH HE OR SHE SUBSEQUENTLY
6 ACQUIRES AS SEPARATE PROPERTY, AND ALL NONCOMMUNITY RENTS, ISSUES AND
7 PROFITS THEREOF, ARE EXEMPT FROM EXECUTION FOR ANY SEPARATE DEBTS IN-
8 CURRED BY HIS OR HER SPOUSE; AND DECLARING AN EMERGENCY.
9

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

11 SECTION 1. That Section [11-204](#), Idaho Code, be, and the same is hereby
12 repealed.

13 SECTION 2. That Chapter 2, Title 11, Idaho Code, be, and the same is
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
15 ignated as Section 11-204, Idaho Code, and to read as follows:

16 11-204. EXEMPTION IN FAVOR OF MARRIED PERSON. All real and personal
17 property of any married person at the time of his or her marriage, or which
18 he or she subsequently acquires as separate property, and all noncommunity
19 rents, issues and profits thereof, are exempt from execution for any sepa-
20 rate debts incurred by his or her spouse.

21 SECTION 3. An emergency existing therefor, which emergency is hereby
22 declared to exist, this act shall be in full force and effect on and after its
23 passage and approval.