

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 200

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1429, IDAHO
2 CODE, TO PROVIDE FOR AN EXCEPTION, TO ESTABLISH PROVISIONS RELATING TO
3 A PROPERTY OWNER DECLARING TO CERTAIN GOVERNING BOARDS HIS INTENTION
4 TO DEANNEX PROPERTY FROM A FIRE PROTECTION DISTRICT, TO ESTABLISH PRO-
5 VISIONS RELATING TO A PROPERTY OWNER DECLARING HIS INTENTION TO ANNEX
6 HIS PROPERTY TO A CERTAIN FIRE PROTECTION DISTRICT OR FIRE DEPARTMENT,
7 TO PROVIDE THAT A DECLARATION SHALL BE EFFECTIVE AFTER A CERTAIN TIME
8 PERIOD, TO PROVIDE THAT THE PROPERTY SHALL BE SUBJECT TO PROVISIONS OF
9 LAW AND TO MAKE TECHNICAL CORRECTIONS.
10

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

12 SECTION 1. That Section 31-1429, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 31-1429. INCLUSION, ANNEXATION OR WITHDRAWAL OF AREA IN CITIES. (1)
15 Except as otherwise provided in section 50-224, Idaho Code, and except as
16 provided in subsection (2) of this section, any area embraced within the lim-
17 its of any city may, with the consent of the governing boards of such city
18 and the respective fire protection district, expressed by ordinance or res-
19 olution, be included within the limits of a fire protection district, when
20 formed, or be subsequently annexed thereto. Any area in any city embraced
21 within the limits of a fire protection district, shall, upon the consent of
22 the governing boards of such city and fire protection district, expressed by
23 ordinance or resolution, be withdrawn from such fire district.

24 (2) The owner of property located in a fire protection district, and
25 which property is embraced within the limits of any city, may declare to the
26 governing boards of the fire protection district and the city his intention
27 to deannex such property from the fire protection district and to annex his
28 property to one (1) of the following:

29 (a) A fire protection district contiguous to the fire protection dis-
30 trict of which the property is currently a part; or

31 (b) A fire department contiguous to the fire protection district of
32 which the property is currently a part.

33 The declaration provided for in this subsection shall be effective on and
34 after ninety (90) days of such declaration to the appropriate governing
35 boards. The property subject to the deannexation pursuant to this subsec-
36 tion shall be subject to the provisions of section 31-1427, Idaho Code.