

IN THE SENATE

SENATE BILL NO. 1323

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO PUBLIC UTILITIES; AMENDING SECTION 61-104, IDAHO CODE, TO RE-
2 VISE TERMINOLOGY AND TO CLARIFY THE MEANING OF A TERM; AMENDING SECTION
3 61-125, IDAHO CODE, TO REVISE TERMINOLOGY AND TO CLARIFY THE MEANING OF
4 A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 61-104, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 61-104. CORPORATION. The term "corporation" when used in this ~~act~~
10 title includes a corporation, a company, an association, and a joint stock
11 association, but does not include a municipal corporation, ~~or~~; mutual non-
12 profit ~~or~~; homeowner's association; cooperative association; formal water
13 district; cooperative gas, electrical, water, or telephone corporation;
14 or any other public utility organized and operated for service at cost and
15 not for profit, whether inside or outside the limits of incorporated cities,
16 towns, or villages.

17 SECTION 2. That Section 61-125, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 61-125. WATER CORPORATION. The term "water corporation" when used
20 in this ~~act~~ title includes every corporation or person, their lessees,
21 trustees, receivers or trustees, appointed by any court whatsoever, owning,
22 controlling, operating or managing any water system for ~~compensation~~ profit
23 within this state. The term "water corporation" when used in this title
24 shall not include a corporation or person owning, controlling, operating, or
25 managing any water system that delivers water to a single entity that is not
26 defined as a "corporation" pursuant to this title.

27 SECTION 3. An emergency existing therefor, which emergency is hereby
28 declared to exist, this act shall be in full force and effect on and after
29 July 1, 2024.