

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 15

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1
2 RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2103, IDAHO CODE, TO
3 PROVIDE AN EXCEPTION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING
4 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

6 SECTION 1. That Section 36-2103, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 36-2103. EXCEPTIONS. (1) The ~~foregoing~~ definitions of the terms "out-
9 fitter" and "guide" provided in this chapter do not include:

10 (a) Private landowners and their employees who provide facilities or
11 services, whether for compensation or not, upon their own privately
12 owned property. Nothing in this exception shall prohibit landowners or
13 their employees from voluntary licensure;

14 (b) A person who furnishes, rents or leases, whether or not for com-
15 pensation or gain or promise thereof, a pack or saddle horse, or other
16 equipment, to a hunter or a fisherman. A person so furnishing, renting
17 or leasing a pack or saddle horse or other equipment shall not be consid-
18 ered an "outfitter" or "guide" if, on an incidental basis, ~~they accom-~~
19 pany such person accompanies a hunter, not to include extended camping,
20 for the purpose of maintaining the safety and well-being of the live-
21 stock used to retrieve harvested big game; ~~or~~

22 (c) Members of a nonprofit organization, if the organization meets
23 the following criteria: (i) it is exempt from the payment of federal
24 income taxes under section 501(c)(3) of the Internal Revenue Code;
25 (ii) its purpose is to provide outdoor experiences to young persons
26 under twenty-one (21) years of age and to its leaders; and (iii) it
27 provides outfitting and guiding services to its own bona fide members
28 on a not-for-profit basis. If the members of the nonprofit organiza-
29 tion provide outfitting or guiding services to persons who are not its
30 members and leaders, the provisions of this chapter shall apply to that
31 organization, its members and leaders; ~~or~~

32 (d) A public or private postsecondary educational institution accred-
33 ited by an organization recognized by the state board of education.

34 (2) A person who obtains permission to outfit or guide on private prop-
35 erty from the property owner is required to be licensed as an outfitter or
36 guide unless the terms of a written agreement with the property owner do not
37 require licensure.

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