

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 177

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LEGAL TENDER; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 98, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE THAT GOLD AND SILVER COIN AND SPECIE SHALL BE LEGAL TENDER, AND TO PROVIDE THAT NO PERSON OR ENTITY MAY COMPEL ANOTHER PERSON OR ENTITY TO TENDER OR ACCEPT GOLD OR SILVER COIN OR SPECIE; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. (1) The State of Idaho hereby declares designation of gold and silver coin and specie as official legal tender in payment of debts under certain circumstances.

(2) Such a designation is within the authority of the State of Idaho pursuant to clause 1, section 10, article I of, and the tenth amendment to, the Constitution of the United States.

(3) The Legislature hereby recognizes the right of Idahoans to conduct business in gold and silver coin and specie uninhibited at their own discretion as a right never delegated by the people of Idaho to any governmental institution.

SECTION 2. That Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 98, Title 67, Idaho Code, and to read as follows:

CHAPTER 98

IDAHO CONSTITUTIONAL MONEY ACT OF 2025

67-9801. SHORT TITLE. This act shall be known and may be cited as the "Idaho Constitutional Money Act of 2025."

67-9802. DEFINITIONS. For the purposes of this chapter, the following terms have the following definitions:

(1) "Debt" means any public or private obligation, tax or other public charge, or other provision in any contract, agreement, law, or regulation that requires and stipulates the payment of, or by the terms of which is payable in, some medium of exchange, currency, or money.

(2) "Entity" means the state of Idaho, corporations, partnerships, trusts, labor unions, and unincorporated associations that reside or transact business or other operations within the state of Idaho.

(3) "Gold and silver coin" means all such gold and silver coin as are allowable for a state:

(a) To "make ... a tender in payment of debts" under the authority reserved to the several states in clause 1, section 10, article I of, and the tenth amendment to, the constitution of the United States; or

1 (b) To employ as its own medium of exchange in the performance of its
2 sovereign governmental functions.

3 (4) "Legal tender" means a medium of exchange, currency, or money that
4 may be offered and accepted for the satisfaction of debts under the laws of
5 the state of Idaho or of the United States, as the case may be.

6 (5) "Person" means all natural persons.

7 (6) "Specie" means:

8 (a) Stamped or imprinted coin having gold or silver content; or

9 (b) Refined gold or silver bullion that is coined, stamped, or im-
10 printed with its weight and purity and valued primarily based on its
11 metal content and not its form.

12 (7) "State" means the state of Idaho and all departments, agencies, of-
13 ficials, and employees thereof.

14 67-9803. GOLD AND SILVER COIN AND SPECIE. (1) To the full extent al-
15 lowed by clause 1, section 10, article I of, and the tenth amendment to, the
16 constitution of the United States, gold and silver coin and specie minted do-
17 mestically shall be legal tender in the state of Idaho under the laws of this
18 state. The state may also elect to use gold and silver coin and specie in con-
19 ducting its business.

20 (2) Unless expressly provided by statute or by contract, no person or
21 other entity may compel another person or other entity to tender or accept
22 gold or silver coin or specie unless agreed upon by the parties.

23 SECTION 3. SEVERABILITY. The provisions of this act are hereby declared
24 to be severable and if any provision of this act or the application of such
25 provision to any person or circumstance is declared invalid for any reason,
26 such declaration shall not affect the validity of the remaining portions of
27 this act.

28 SECTION 4. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after
30 July 1, 2025.