

IN THE SENATE

SENATE BILL NO. 1370

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO EXEMPTIONS FROM ATTACHMENT; AMENDING SECTION 11-605, IDAHO  
2 CODE, TO PROVIDE ADDITIONAL EXEMPTIONS AND VALUE OF CERTAIN PERSONAL  
3 PROPERTY AND DISPOSABLE EARNINGS FROM ATTACHMENT; AND DECLARING AN  
4 EMERGENCY.  
5

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

7 SECTION 1. That Section 11-605, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 11-605. EXEMPTIONS OF PERSONAL PROPERTY AND DISPOSABLE EARNINGS  
10 SUBJECT TO VALUE LIMITATIONS. (1) An individual is entitled to exemption  
11 of the following property to the extent of a value not exceeding ~~five~~  
12 seven hundred fifty dollars (~~\$7500~~) on any one (1) item of property and  
13 not to exceed a total value of ~~five seven thousand five hundred~~ dollars  
14 (~~\$5,000~~7,500) for all items exempted under this subsection:

15 (a) Household furnishings, household goods, and appliances held  
16 primarily for the personal, family, or household use of the individual  
17 or a dependent of the individual;

18 (b) If reasonably held for the personal use of the individual or a  
19 dependent, wearing apparel, animals, books, and musical instruments;  
20 and

21 (c) Family portraits and heirlooms of particular sentimental value to  
22 the individual.

23 (2) An individual is entitled to exemption of jewelry, not exceeding  
24 one thousand dollars (\$1,000) in aggregate value, if held for the personal  
25 use of the individual.

26 (3) An individual is entitled to exemption, not exceeding ~~one two~~  
27 thousand five hundred dollars (~~\$12,500~~) in aggregate value, of implements,  
28 professional books, business equipment and tools of the trade; and to an  
29 exemption of one (1) motor vehicle to the extent of a value not exceeding ~~five~~  
30 seven thousand dollars (~~\$57,000~~).

31 (4) An individual is entitled to an exemption of provisions of food or  
32 water together with storage containers and shelving, sufficient for twelve  
33 (12) months for use of the individual or a dependent or dependents of the  
34 individual.

35 (5) All courthouses, jails, public offices and buildings,  
36 schoolhouses, lots, grounds and personal property appertaining thereto,  
37 the fixtures, furniture, books, papers and appurtenances belonging and  
38 pertaining to the courthouse, jail and public offices belonging to any  
39 county of this state, or for the use of schools, and all cemeteries, public  
40 squares, parks and places, public buildings, town halls, markets, buildings  
41 for the use of fire departments and military organizations, and the lots and  
42 grounds thereto belonging and appertaining, owned or held by any town or

1 incorporated city, or dedicated by such town or city to health, ornament or  
2 public use, or for the use of any fire or military company organized under  
3 the laws of this state. No article or species of property mentioned in this  
4 section is exempt from execution issued upon a judgment recovered for its  
5 price or upon a mortgage thereon.

6 (56) All arms, uniforms and accouterments required for the use of an  
7 individual as a peace officer, a member of the national guard or military  
8 service.

9 (67) A water right not to exceed one hundred sixty (160) inches of water  
10 used for the irrigation of lands actually cultivated by the individual,  
11 and the crop or crops growing or grown on fifty (50) acres of land, leased,  
12 owned or possessed by an individual cultivating the same, provided, that the  
13 amount of the crops so exempted shall not exceed the value of one thousand  
14 dollars (\$1,000).

15 (78) An individual is entitled to exemption of one (1) firearm valued at  
16 less than five seven hundred fifty dollars (~~\$7500~~), or less.

17 (89) Any unmaturred life insurance contract owned by an individual,  
18 other than a credit life insurance contract.

19 (910) An individual's aggregate interest, not to exceed five thousand  
20 dollars (\$5,000) in any accrued dividend or interest under, or loan value  
21 of, any unmaturred life insurance contract owned by the individual under  
22 which the insured is the individual or a person of whom the individual is a  
23 dependent.

24 (101) An individual's aggregate interest in any tangible personal  
25 property, not to exceed the value of eight hundred dollars (\$800).

26 (12) An individual is entitled to an exemption for his disposable  
27 earnings as defined in subsection 2. of section 11-206, Idaho Code, wages,  
28 salaries, and compensation for personal services rendered, to the extent  
29 such earnings, wages, salaries, and compensation have been earned but have  
30 not been paid to the individual, not to exceed one thousand five hundred  
31 dollars (\$1,500) in a calendar year. This exemption shall not affect the  
32 application or operation of the garnishment restrictions set forth in  
33 section 11-207, Idaho Code.

34 SECTION 2. An emergency existing therefor, which emergency is hereby  
35 declared to exist, this act shall be in full force and effect on and after its  
36 passage and approval.