

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 150, As Amended in the Senate

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO HOMESTEADS; REPEALING SECTION 55-1007, IDAHO CODE, RELATING TO  
2 CONVEYANCE OR ENCUMBRANCE BY HUSBAND AND WIFE; AMENDING CHAPTER 10,  
3 TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1007, IDAHO  
4 CODE, TO ESTABLISH PROVISIONS REGARDING CONVEYANCE OR ENCUMBRANCE BY A  
5 MARRIED COUPLE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE  
6 DATE.  
7

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

9 SECTION 1. That Section [55-1007](#), Idaho Code, be, and the same is hereby  
10 repealed.

11 SECTION 2. That Chapter 10, Title 55, Idaho Code, be, and the same is  
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
13 ignated as Section 55-1007, Idaho Code, and to read as follows:

14 55-1007. CONVEYANCE OR ENCUMBRANCE BY A MARRIED COUPLE. The homestead  
15 of a married person shall not be conveyed or encumbered by a spouse without  
16 the consent of the other spouse. Either spouse may execute a power of attor-  
17 ney authorizing the other spouse to convey or encumber the homestead on be-  
18 half of the principal. Consent shall be evidenced by:

19 (1) Each spouse executing and acknowledging the instrument by which the  
20 homestead is conveyed or encumbered; or

21 (2) A deed from one spouse to the other spouse establishing the home-  
22 stead property as the sole and separate property of the grantee spouse.

23 SECTION 3. An emergency existing therefor, which emergency is hereby  
24 declared to exist, this act shall be in full force and effect on and after  
25 July 1, 2025.