

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 706

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC UTILITIES; AMENDING CHAPTER 2, TITLE 61, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 61-216, IDAHO CODE, TO DEFINE TERMS, TO  
3 PROVIDE THAT PUBLIC UTILITY CUSTOMERS SHALL BE GIVEN AN OPPORTUNITY  
4 TO OPT OUT OF RECEIVING SMART METERS, TO PROVIDE THAT A PUBLIC UTILITY  
5 SHALL REPLACE A SMART METER WITH A TRADITIONAL METER AT THE REQUEST OF A  
6 CUSTOMER, AND TO PROVIDE THAT THE PUBLIC UTILITIES COMMISSION MAY ES-  
7 TABLISH A CERTAIN SURCHARGE; AND DECLARING AN EMERGENCY AND PROVIDING  
8 AN EFFECTIVE DATE.  
9

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

11 SECTION 1. That Chapter 2, Title 61, 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 61-216, Idaho Code, and to read as follows:

14 61-216. SMART METERS -- OPT-OUT POLICY. (1) For purposes of this sec-  
15 tion:

16 (a) "Smart meter" means an electronic device that records consumption  
17 of a commodity and automatically transmits consumption data to a public  
18 utility for monitoring and billing.

19 (b) "Traditional meter" means a device that records consumption of a  
20 commodity but is not capable of automatically transmitting consumption  
21 data to a public utility and is intended to be read by an individual  
22 through a visual display.

23 (2) Prior to furnishing a smart meter to a customer, a public utility  
24 shall provide the customer an opportunity to opt out of receiving the smart  
25 meter. The public utility shall provide a method for customers to opt out  
26 electronically or, upon request, shall provide a paper opt-out form to the  
27 customer.

28 (3) At the request of a customer, a public utility shall replace a smart  
29 meter with a traditional meter to measure the customer's consumption.

30 (4) The commission may establish a surcharge for customers who opt out  
31 of receiving a smart meter or who request that a smart meter be replaced with  
32 a traditional meter. The surcharge may include a onetime fee and a monthly  
33 fee reflective of the actual costs incurred by a public utility to install,  
34 read, maintain, or service the meters of customers who opt out or request a  
35 replacement.

36 SECTION 2. An emergency existing therefor, which emergency is hereby  
37 declared to exist, this act shall be in full force and effect on and after  
38 July 1, 2022.