

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 164

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LEASES; AMENDING SECTION 55-307, IDAHO CODE, TO REVISE PROVISIONS REGARDING NOTICE OF NONRENEWAL OF CERTAIN LEASES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 55-307, Idaho Code, be, and the same is hereby amended to read as follows:

55-307. CHANGE IN TERMS OF LEASE -- NOTICE. (1) In all leases of lands or tenements, or of any interest therein from month to month, the landlord may, upon giving notice in writing at least fifteen (15) days before the expiration of the month, change the terms of the lease to take effect at the expiration of the month. The notice, when served upon the tenant, shall of itself operate and be effectual to create and establish, as a part of the lease, the terms, rent and conditions specified in the notice if the tenant shall continue to hold the premises after the expiration of the month.

(2) A local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private residential property. This provision does not impair the right of any local governmental unit to manage and control residential property in which the local governmental unit has a property interest.

(3) Notwithstanding subsection (1) of this section, in all leases of residential property, or of any interest therein, the landlord shall provide the tenant written notice of any increase in the amount of rent charged ~~or of the landlord's intention of nonrenewal of the lease~~ at least thirty (30) days before: such increase in the amount of rent charged is intended to take effect.

~~(a) Such nonrenewal of the lease; or~~

~~(b) Such increase in the amount of rent charged is intended to take effect.~~

(4) Notwithstanding subsection (1) of this section, in all leases of residential property or of any interest therein:

(a) The landlord shall provide the tenant written notice of the landlord's intention not to renew a lease at least sixty (60) days before the termination of any lease for a period of six (6) months or longer that is entered into on or after July 1, 2023.

(b) A tenant shall give to a landlord written notice of the tenant's intention not to renew a lease for residential property at least sixty (60) days before the termination of any lease for a period of six (6) months or longer that is entered into on or after July 1, 2023.

(c) If neither party gives sixty (60) days notice pursuant to paragraphs (a) and (b) of this subsection, the lease between the

1 parties shall continue after termination of the lease period on a  
2 month-to-month basis until sixty (60) days written notice of a termina-  
3 tion date is given.

4 SECTION 2. An emergency existing therefor, which emergency is hereby  
5 declared to exist, this act shall be in full force and effect on and after  
6 July 1, 2023.