

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 511

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO PARTIES TO ACTIONS; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY
2 THE ADDITION OF A NEW SECTION 5-347, IDAHO CODE, TO DEFINE TERMS, TO PRO-
3 VIDE CERTAIN LEGAL IMMUNITY TO VOLUNTEER SECURITY PERSONNEL OF A RELI-
4 GIOUS ORGANIZATION, TO PROVIDE CERTAIN LEGAL IMMUNITY TO RELIGIOUS OR-
5 GANIZATIONS, AND TO PROVIDE APPLICABILITY; AND DECLARING AN EMERGENCY
6 AND PROVIDING AN EFFECTIVE DATE.
7

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

9 SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 5-347, Idaho Code, and to read as follows:

12 5-347. IMMUNITY OF VOLUNTEER SECURITY PERSONNEL -- RELIGIOUS ORGANI-
13 ZATIONS. (1) For the purposes of this section:

- 14 (a) "Person" means an individual.
- 15 (b) "Religious organization" means a body or community of persons
16 united as individuals or as an entity, under one (1) form of government,
17 by profession of the same faith and the observance of the same rituals or
18 ceremonies as members or attendees of a bona fide church, synagogue, or
19 house of worship.
- 20 (c) "Security personnel" means persons who provide safety, security,
21 or protection for a religious organization of which the persons are mem-
22 bers to benefit persons in attendance at a meeting or other gathering
23 held at, or sponsored by, the religious organization.
- 24 (d) "Volunteer" means a person who provides services without any ex-
25 press or implied promise of remuneration.

26 (2) No action shall lie or be maintained for civil damages in any court
27 of this state against any volunteer security personnel of a religious organ-
28 ization for providing safety, security, or protection services for the re-
29 ligious organization or against the religious organization for which such
30 volunteer security personnel provided safety, security, or protection ser-
31 vices.

- 32 (a) The immunity provided by this section shall apply to and include
33 safety, security, or protection provided by use of nonlethal or lethal
34 force.
- 35 (b) The immunity provided by this section shall not apply to or include
36 acts or omissions proved to amount to gross negligence or wanton or
37 reckless misconduct.

38 SECTION 2. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after
40 July 1, 2024.