

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-eighth Legislature First Regular Session - 2025

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 415

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO ENERGY INFRASTRUCTURE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 3, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-338, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING RESTRICTIONS ON OWNERSHIP OF ENERGY INFRASTRUCTURE IN IDAHO; AND DECLARING AN EMERGENCY.

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

SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to recognize the importance of maintaining local and regional control over critical energy infrastructure. This section is intended to protect Idaho's energy independence by preventing organizations created or controlled by other state governments from owning, operating, or controlling Idaho electrical transmission facilities.

SECTION 2. That Chapter 3, Title 61, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 61-338, Idaho Code, and to read as follows:

61-338. RESTRICTIONS ON OWNERSHIP OF ENERGY INFRASTRUCTURE IN IDAHO. (1) No entity that was established, chartered, or primarily governed by another state of the United States, or an agency thereof, shall acquire, hold, or operate any ownership interest in Idaho's electrical transmission facilities. This prohibition applies to transmission lines, substations, and other related infrastructure that is directly involved in the interstate or intrastate transmission of electricity.

(2) This section shall not:

(a) Apply to private entities, investor-owned utilities, cooperative utilities, or independent transmission developers that are not directly created or controlled by another state government; or

(b) Prohibit Idaho-based utilities or businesses from entering into contractual agreements for energy transmission services with out-of-state entities.

(3) The Idaho public utilities commission shall have the authority to review and authenticate the ownership of electrical transmission infrastructure in Idaho to ensure compliance with this section.

(4) Any entity in violation of this section shall be required to divest its interest in Idaho energy infrastructure within a period to be determined by the commission but by no later than two (2) years from the effective date of this section.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.