

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 432

BY KING

AN ACT

RELATING TO EMPLOYER DUTIES; AMENDING CHAPTER 2, TITLE 44, IDAHO CODE, BY THE  
ADDITION OF A NEW SECTION 44-204, IDAHO CODE, TO REQUIRE A MEAL PERIOD  
AND TO PROVIDE ENFORCEMENT AUTHORITY.

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

SECTION 1. That Chapter 2, Title 44, Idaho Code, be, and the same is  
hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
ignated as Section 44-204, Idaho Code, and to read as follows:

44-204. PERIODS FOR MEALS -- ENFORCEMENT. (1) An employer shall not  
employ an employee for a work period of more than seven and one-half (7 1/2)  
consecutive hours per day without permitting the employee to have a meal pe-  
riod of at least thirty (30) consecutive minutes. Insofar as is practicable,  
such meal period shall be in the middle of each work period. Such meal period  
may be unpaid.

(2) This section shall not apply to any of the following:

(a) An employer who employs two (2) or fewer employees at a particular  
place of employment at any one (1) time.

(b) An employee who is covered by a valid collective bargaining agree-  
ment, or other written agreement, that provides otherwise.

(3) The director of the department of labor may enforce the provisions  
of this section in accordance with the provisions of section 44-1508(1),  
Idaho Code.

(4) An employee may bring an action in a court of competent jurisdiction  
to enforce the provisions of this section.

(5) For the purposes of this section, the term "employee" means any  
individual employed by an employer, whether such employer is a private em-  
ployer or a public employer.