

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 77

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO HOMEOWNER PROPERTY TAX RELIEF; AMENDING CHAPTER 7, TITLE 63,
2 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-724, IDAHO CODE, TO ES-
3 TABLISH PROVISIONS REGARDING HOMEOWNER PROPERTY TAX RELIEF; AMENDING
4 SECTION 63-902, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROPERTY TAX
5 NOTICES; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE PROVISIONS
6 REGARDING THE DISTRIBUTION OF SALES AND USE TAXES; APPROPRIATING MONEYS
7 AND PROVIDING FOR A CASH TRANSFER FROM THE GENERAL FUND TO THE HOMEOWNER
8 PROPERTY TAX RELIEF ACCOUNT; AND DECLARING AN EMERGENCY.
9

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

11 SECTION 1. That Chapter 7, Title 63, 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 63-724, Idaho Code, and to read as follows:

14 63-724. HOMEOWNER PROPERTY TAX RELIEF. (1) It is the intent of the
15 legislature to provide property tax relief on owner-occupied properties in
16 Idaho receiving the homestead property tax exemption pursuant to section
17 63-602G, Idaho Code, as of the second Monday in July each year by providing
18 sales tax moneys as replacement funding as provided in this section. This
19 section does not apply to occupancy taxes levied pursuant to section 63-317,
20 Idaho Code.

21 (2) For the purpose of this section:

22 (a) "Eligible property taxes" means all property tax levies on homes
23 receiving the homestead property tax exemption pursuant to section
24 63-602G, Idaho Code, as of the second Monday in July each year, ex-
25 cept for the following: bonds, school district levies, plant facility
26 levies, and any voter-approved temporary levy for a specific duration.
27 When calculating the eligible property taxes for the purpose of this
28 section, the taxable value of each property shall include the value of
29 no more than one (1) acre.

30 (b) "Homeowner property tax relief homestead" means a property receiv-
31 ing the homestead property tax exemption pursuant to section 63-602G,
32 Idaho Code, as of the second Monday in July each year.

33 (3) The county assessor shall prepare a homeowner property tax relief
34 roll, which shall be in addition to all other property rolls. By no later
35 than the fourth Monday of August each year, the homeowner property tax relief
36 roll shall be certified by the county assessor to the county auditor and to
37 the state tax commission in the manner prescribed by rules promulgated by the
38 state tax commission. The homeowner property tax relief roll shall show:

39 (a) The name of the taxpayer;

40 (b) An accurate description of the homeowner property tax relief home-
41 stead; and

42 (c) The property's current market value for assessment purposes.

1 (4) (a) The county auditor shall complete the homeowner property tax re-
2 lief roll by adding the following information:

3 (i) The current year's levy for the tax code area in which the
4 property is situated;

5 (ii) The amount of eligible property taxes levied on each qualify-
6 ing homestead; and

7 (iii) The total amount of eligible property taxes levied on all
8 properties within the county that are receiving the homestead
9 property tax exemption as of the second Monday in July of each
10 year.

11 (b) By no later than the fourth Monday of October each year, the county
12 auditor shall certify the completed homeowner property tax relief roll
13 to the state tax commission in the manner prescribed by rules promul-
14 gated by the state tax commission.

15 (5) The state tax commission shall determine the total number of home-
16 owner property tax relief homesteads to be allowed in each county, the dol-
17 lar amount of eligible property taxes for each homeowner property tax relief
18 homestead allowed, and the total dollar amount of eligible property taxes
19 for all homeowner property tax relief homesteads within each county. The
20 state tax commission shall divide the moneys appropriated to the homeowner
21 property tax relief account pursuant to section 63-3638(15), Idaho Code, by
22 the total dollar amount of eligible property taxes levied on all such prop-
23 erty tax relief homesteads in all counties, then multiply the result by the
24 total amount of eligible property taxes levied on such homesteads in each
25 county. This amount shall be certified to the county auditor and tax collec-
26 tor by the state tax commission no later than the first Monday in November.
27 By no later than December 20 of each year, the state tax commission shall pay
28 to the county tax collector of each county one half (1/2) of the amount due to
29 each county as reimbursement for homeowner property tax relief as provided
30 in this section and shall pay the second one half (1/2) of such amount by no
31 later than June 20 of the following year.

32 (6) The state tax commission may audit each and every property on the
33 homeowner property tax relief roll. If the state tax commission determines
34 that a homeowner property tax relief homestead credit is erroneous, the
35 state tax commission shall disapprove as much of the credit as necessary in
36 order to conform with statutory standards. The state tax commission shall
37 provide the homeowner written notice of the state tax commission's intent
38 to disapprove all or a portion of the credit. The homeowner shall have
39 twenty-eight (28) days to make written protest to the state tax commission
40 of the intended action. The homeowner may submit additional information and
41 may request an informal hearing with the state tax commission. If the home-
42 owner fails to make written protest within twenty-eight (28) days, the state
43 tax commission shall provide written notice of disapproval to both the home-
44 owner and the county auditor of the county in which the property is situated
45 by December 20. Any homeowner whose claim is disapproved in whole or in part
46 by the state tax commission may appeal such disapproval to the board of tax
47 appeals or to the district court of the county of residence of the taxpayer
48 within thirty (30) days.

49 (7) Each county treasurer shall apply the moneys received pursuant to
50 subsection (5) of this section to the eligible property taxes levied on the

1 properties listed on the certified homeowner property tax relief roll that
 2 year. The moneys shall be designated as a line item credit against the total
 3 of all eligible property taxes on the property tax bill for each property re-
 4 ceiving the tax relief provided by this section. Such moneys shall be paid to
 5 the various taxing districts levying the eligible property taxes in the same
 6 manner as property tax revenues.

7 (8) The amount of property tax relief for a homeowner's property taxes
 8 shall be applied after the homestead exemption pursuant to section 63-602G,
 9 Idaho Code, has been applied. The property tax relief amount cannot exceed
 10 the actual amount of current eligible property taxes due on the homeowner's
 11 property tax notice. No delinquent property taxes, penalties, interest, or
 12 fines may be paid with moneys from this program.

13 (9) Nothing in this section prevents a homeowner denied property tax
 14 relief pursuant to this section or a homeowner receiving partial payment
 15 only of property taxes from applying for any and all other assistance for
 16 which the homeowner qualifies, up to a maximum of the actual property taxes
 17 owed by the homeowner, including but not limited to:

18 (a) Property tax reduction for disabled veterans pursuant to section
 19 63-705A, Idaho Code;

20 (b) Property tax reduction pursuant to sections 63-704 and 63-705,
 21 Idaho Code;

22 (c) Property tax deferral pursuant to sections 63-712 through 63-721,
 23 Idaho Code;

24 (d) Special cancellation of property taxes pursuant to section 63-711,
 25 Idaho Code; and

26 (e) Exceptional situation exemption pursuant to section 63-602AA,
 27 Idaho Code.

28 (10) Any amount of homeowner property tax relief moneys distributed by
 29 the state tax commission to a county that exceeds the total amount of all el-
 30 igible property taxes due from all homeowner property tax relief homesteads
 31 in the county shall revert to the state general fund. The county treasurer
 32 shall deposit such moneys with the state treasurer by the fourth Monday in
 33 July each year for the preceding property tax year.

34 (11) Within three (3) years of payment, the state tax commission may re-
 35 cover any erroneous or incorrect payment made to any homeowner receiving re-
 36 lief under this section. The deficiency determination, collection, and en-
 37 forcement procedures provided in chapter 30, title 63, Idaho Code, shall ap-
 38 ply and be available to the state tax commission for enforcement and collec-
 39 tion under this section. Wherever liens or any other proceedings are defined
 40 as income tax liens or proceedings, they shall, when applied in enforcement
 41 or collection under this section, be described as tax relief liens and pro-
 42 ceedings. In connection with this section, a deficiency shall consist of any
 43 amount erroneously paid on behalf of a homeowner under this section.

44 SECTION 2. That Section 63-902, Idaho Code, be, and the same is hereby
 45 amended to read as follows:

46 63-902. PROPERTY TAX NOTICE AND RECEIPTS -- DUTY OF TAX COLLECTOR. (1)
 47 For property on the property roll or operating property roll, the county tax
 48 collector must, prior to the fourth Monday of November in each year, mail or
 49 transmit electronically, as that term is defined in section 63-115, Idaho

1 Code, if electronic transmission is requested by the taxpayer, to every tax-
 2 payer, or to his agent or representative, at his last known post office ad-
 3 dress, a tax notice prepared upon forms prescribed in section 63-219, Idaho
 4 Code, which shall contain at least the following:

- 5 (a) The year in which the property tax was levied;
- 6 (b) The name and address of the property owner;
- 7 (c) An accurate description of the property or, in lieu thereof, the tax
 8 number of record;
- 9 (d) The parcel number;
- 10 (e) Full market value for assessment purposes;
- 11 (f) The total amount of property taxes due:
 - 12 (i) State;
 - 13 (ii) County;
 - 14 (iii) City;
 - 15 (iv) School district separately shown as:
 - 16 (A) Maintenance and operation;
 - 17 (B) Bond;
 - 18 (C) Supplemental;
 - 19 (D) Other;
 - 20 (v) And every other tax being separately shown.
- 21 (g) All property tax levies in the tax code area;
- 22 (h) The expiration dates of all bonds and levies approved by vot-
 23 ers at an election for each taxing district as defined in section
 24 63-3101, Idaho Code, submitted to the tax collector pursuant to section
 25 63-803(5), Idaho Code;
- 26 (i) The date when such property taxes become delinquent;
- 27 (j) Notation of delinquencies against said property;
- 28 (k) Whether an interim payment account exists;
- 29 (l) The amount of homeowner property tax relief granted pursuant to
 30 section 63-724, Idaho Code, if any;

31 ~~(l)~~ (m) The different payment options available to the taxpayer, his
 32 agent, or representative, which shall be printed in boldface type in a
 33 contrasting color or highlighted on the face of the tax notice; and

34 ~~(m)~~ (n) The total amount of property taxes for the previous tax year.

35 (2) The information required by subsection (1) (h) of this section may
 36 be satisfied if the county treasurer provides an annual insert with the tax
 37 notice or a link on the tax notice to the county website where the information
 38 required by subsection (1) (h) of this section can be accessed. Such infor-
 39 mation must be archived on the county website. In addition to including the
 40 link to the county website, the county treasurer may also include on the tax
 41 notice a quick response code to access the information required by subsec-
 42 tion (1) (h) of this section.

43 (3) The tax notices shall be numbered consecutively and the numbers
 44 must be entered upon all property rolls.

45 (4) Tax notices prepared in tax code area format shall state that levy
 46 sheets are available to the public.

47 (5) Levy sheets shall list the total property tax levy for each taxing
 48 district or taxing jurisdiction and the total in each tax code area.

49 (6) If the taxpayer is one other than the equitable titleholder, such as
 50 an escrowee, trustee of trust deed or other third party, the taxpayer shall

1 deliver to the equitable titleholder a statement of the total amount of prop-
2 erty taxes billed, on or before the second Monday of December.

3 (7) The tax collector in each county of the state is authorized to de-
4 stroy all duplicate property tax receipts and microfilm of tax receipts on
5 file in his office as they reach ten (10) years old. Property tax receipts
6 may be destroyed if information has been replicated in other storage media.

7 (8) Computer and data processing routines for completion of all phases
8 of the property tax roll procedures may be utilized with the responsibility
9 for completion of each office's statutory duties to remain under the super-
10 vision of that office. Wherever the designation "property roll" appears
11 within title 63, Idaho Code, data processing or computer procedures and
12 forms may be substituted as permanent records.

13 (9) The county tax collector must, as soon as possible after the sub-
14 sequent or missed property roll is delivered to him from the county auditor,
15 mail or transmit electronically, if electronic transmission is requested by
16 the taxpayer, a notice to every taxpayer listed on the subsequent or missed
17 property roll, or to his agent or representative. The notice shall conform
18 as nearly as possible to the notice required for property listed on the prop-
19 erty roll.

20 (10) Failure to mail or transmit electronically, if electronic trans-
21 mission is requested by the taxpayer, such property tax notice, or receipt of
22 said notice by the taxpayer, shall not invalidate the property taxes, or any
23 proceedings in the collection of property taxes, or any proceedings in the
24 foreclosure of property tax liens.

25 (11) No charge, other than property taxes, shall be included on a tax
26 notice unless the entity placing such charge has received approval from the
27 board of county commissioners to place such charge on the tax notice and such
28 entity:

29 (a) Has the authority by law to place a lien on property; and

30 (b) Has the authority to certify such charge to the auditor; and

31 (c) Is required to collect such charge in the same manner provided by
32 law for the collection of real and personal property taxes.

33 (12) If a taxpayer requests to receive a tax notice electronically, the
34 request must be made on a form provided by the county tax collector.

35 SECTION 3. That Section 63-3638, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 63-3638. SALES TAX -- DISTRIBUTION. All moneys collected under
38 this chapter, except as may otherwise be required in sections 63-3203,
39 63-3620F(2), and 63-3709, Idaho Code, and ~~except as provided in subsection~~
40 ~~(16) of this section,~~ shall be distributed by the state tax commission as
41 follows:

42 (1) An amount of money shall be distributed to the state refund account
43 sufficient to pay current refund claims. All refunds authorized under this
44 chapter by the state tax commission shall be paid through the state refund
45 account, and those moneys are continuously appropriated.

46 (2) Five million dollars (\$5,000,000) per year is continuously appro-
47 priated and shall be distributed to the permanent building fund, provided by
48 section 57-1108, Idaho Code.

1 (3) Four million eight hundred thousand dollars (\$4,800,000) per year
2 is continuously appropriated and shall be distributed to the water pollution
3 control fund established by section 39-3628, Idaho Code.

4 (4) An amount equal to the sum required to be certified by the chair-
5 man of the Idaho housing and finance association to the state tax commis-
6 sion pursuant to section 67-6211, Idaho Code, in each year is continuously
7 appropriated and shall be paid to any capital reserve fund established by
8 the Idaho housing and finance association pursuant to section 67-6211, Idaho
9 Code. Such amounts, if any, as may be appropriated hereunder to the capital
10 reserve fund of the Idaho housing and finance association shall be repaid for
11 distribution under the provisions of this section, subject to the provisions
12 of section 67-6215, Idaho Code, by the Idaho housing and finance associa-
13 tion, as soon as possible, from any moneys available therefor and in excess
14 of the amounts the association determines will keep it self-supporting.

15 (5) An amount equal to the sum required by the provisions of sections
16 63-709 and 63-717, Idaho Code, after allowance for the amount appropriated
17 by section 63-718(3), Idaho Code, is continuously appropriated and shall be
18 paid as provided by sections 63-709 and 63-717, Idaho Code.

19 (6) An amount required by the provisions of chapter 53, title 33, Idaho
20 Code.

21 (7) An amount required by the provisions of chapter 87, title 67, Idaho
22 Code.

23 (8) For fiscal year 2011 and each fiscal year thereafter, four million
24 one hundred thousand dollars (\$4,100,000), of which two million two hundred
25 thousand dollars (\$2,200,000) shall be distributed to each of the forty-four
26 (44) counties in equal amounts and one million nine hundred thousand dol-
27 lars (\$1,900,000) shall be distributed to the forty-four (44) counties in
28 the proportion that the population of the county bears to the population of
29 the state. For fiscal year 2012 and for each fiscal year thereafter, the
30 amount distributed pursuant to this subsection shall be adjusted annually
31 by the state tax commission in accordance with the consumer price index for
32 all urban consumers (CPI-U) as published by the U.S. department of labor,
33 bureau of labor statistics, but in no fiscal year shall the total amount
34 allocated for counties under this subsection be less than four million one
35 hundred thousand dollars (\$4,100,000). Any increase resulting from the ad-
36 justment required in this section shall be distributed to each county in the
37 proportion that the population of the county bears to the population of the
38 state. Each county shall establish a special election fund to which shall
39 be deposited all revenues received from the distribution pursuant to this
40 subsection. All such revenues shall be used exclusively to defray the costs
41 associated with conducting elections as required of county clerks by the
42 provisions of section 34-1401, Idaho Code.

43 (9) One dollar (\$1.00) on each application for certificate of title
44 or initial application for registration of a motor vehicle, snowmobile,
45 all-terrain vehicle or other vehicle processed by the county assessor or the
46 Idaho transportation department, excepting those applications in which any
47 sales or use taxes due have been previously collected by a retailer, shall be
48 a fee for the services of the assessor of the county or the Idaho transporta-
49 tion department in collecting such taxes and shall be paid into the current

1 expense fund of the county or state highway account established in section
2 40-702, Idaho Code.

3 (10) Eleven and five-tenths percent (11.5%) of revenues collected un-
4 der this chapter, following any distributions required by sections 63-3203,
5 63-3620F(2), and 63-3709, Idaho Code, and by subsection (1) of this section,
6 is continuously appropriated and shall be distributed to the revenue-shar-
7 ing account, which is hereby created in the state treasury, and the moneys in
8 the revenue-sharing account will be paid in installments each calendar quar-
9 ter by the state tax commission as follows:

10 (a) Forty-five and two-tenths percent (45.2%) shall be paid to the var-
11 ious cities as follows:

12 (i) Beginning in fiscal year 2025 and each fiscal year there-
13 after, four million dollars (\$4,000,000) shall be transferred
14 each quarter to the state public defense fund created in section
15 57-827, Idaho Code.

16 (ii) After the distribution required by subparagraph (i) of this
17 paragraph, the revenue-sharing amount calculated by the state tax
18 commission for the various cities for each quarter of fiscal year
19 2020 shall be the base amount for current quarterly revenue dis-
20 tribution amounts. The state tax commission shall calculate the
21 per capita distribution for each city resulting from the previous
22 fiscal year's distributions.

23 (iii) If there is no change in the amount of the revenue-sharing
24 account from the same quarter of the previous fiscal year, then the
25 various cities shall receive the same amount received for the same
26 quarter of the previous fiscal year.

27 (iv) If the balance of the revenue-sharing account for the current
28 quarter is greater than the balance of the revenue-sharing account
29 for the same quarter of the previous fiscal year, then:

30 1. If the distributions made to the cities during the same
31 quarter of the previous fiscal year were below the base
32 amount established in fiscal year 2020, then the various
33 cities shall first receive a proportional increase up to the
34 base amount for each city and up to a one percent (1%) in-
35 crease over such base amount. Any remaining moneys shall be
36 distributed to cities with a below-average per capita dis-
37 tribution in the proportion that the population of that city
38 bears to the population of all cities with below-average per
39 capita distributions within the state.

40 2. If the distributions made to the cities during the same
41 quarter of the previous fiscal year were at or above the
42 base amount established in fiscal year 2020, then the cities
43 shall receive the same distribution they received during the
44 same quarter of the previous fiscal year plus a proportional
45 increase up to one percent (1%). Any remaining moneys shall
46 be distributed to the cities with a below-average per capita
47 distribution in the proportion that the population of that
48 city bears to the population of all cities with a below-aver-
49 age per capita distribution within the state.

1 (v) If the balance of the revenue-sharing account for the cur-
2 rent quarter is less than the balance of the revenue-sharing ac-
3 count for the same quarter of the previous fiscal year, then the
4 cities shall first receive a proportional reduction down to the
5 base amount established in fiscal year 2020. If further reduc-
6 tions are necessary, the cities shall receive reductions based on
7 the proportion that each city's population bears to the population
8 of all cities within the state.

9 (b) Forty-seven and one-tenth percent (47.1%) shall be paid to the var-
10 ious counties as follows:

11 (i) Beginning in fiscal year 2025, five million dollars
12 (\$5,000,000) shall be transferred each quarter to the state public
13 defense fund created in section 57-827, Idaho Code. The growth
14 percentage distributed pursuant to this subparagraph shall be re-
15 calculated each quarter beginning in fiscal year 2026 and in each
16 fiscal year thereafter through fiscal year 2030. If the growth is
17 positive and is calculated over the same period from the previ-
18 ous fiscal year, a proportional increase in the initial transfer
19 amount of up to five percent (5%) annually shall be transferred to
20 the state public defense fund. After fiscal year 2030, an amount
21 equal to one-fourth (1/4) of the total amount transferred to the
22 state public defense fund in fiscal year 2030 pursuant to this
23 subparagraph shall be transferred quarterly to the state public
24 defense fund;

25 (ii) Following the distribution required by subparagraph (i) of
26 this paragraph, fifty-nine and eight-tenths percent (59.8%) of
27 the amount to be distributed under this paragraph (b) of this sub-
28 section shall be distributed as follows:

29 1. One million three hundred twenty thousand dollars
30 (\$1,320,000) annually shall be distributed one forty-fourth
31 (1/44) to each of the various counties; and

32 2. The balance of such amount shall be paid to the various
33 counties, and each county shall be entitled to an amount in
34 the proportion that the population of that county bears to
35 the population of the state; and

36 (iii) Following the distribution required by subparagraph (i) of
37 this paragraph, forty and two-tenths percent (40.2%) of the amount
38 to be distributed under this paragraph (b) of this subsection
39 shall be distributed as follows:

40 1. Each county that received a payment under the provisions
41 of section 63-3638(e), Idaho Code, as that subsection ex-
42 isted immediately prior to July 1, 2000, during the fourth
43 quarter of calendar year 1999, shall be entitled to a like
44 amount during succeeding calendar quarters.

45 2. If the dollar amount of money available under this sub-
46 section (10)(b)(iii) in any quarter does not equal the
47 amount paid in the fourth quarter of calendar year 1999, each
48 county's payment shall be reduced proportionately.

49 3. If the dollar amount of money available under this sub-
50 section (10)(b)(iii) in any quarter exceeds the amount paid

1 in the fourth quarter of calendar year 1999, each county
2 shall be entitled to a proportionately increased payment,
3 but such increase shall not exceed one hundred five percent
4 (105%) of the total payment made in the fourth quarter of
5 calendar year 1999.

6 4. If the dollar amount of money available under this sub-
7 section (10) (b) (iii) in any quarter exceeds one hundred five
8 percent (105%) of the total payment made in the fourth quar-
9 ter of calendar year 1999, any amount over and above such
10 one hundred five percent (105%) shall be paid to the various
11 counties in the proportion that the population of the county
12 bears to the population of the state; and

13 (c) Seven and seven-tenths percent (7.7%) of the amount appropriated in
14 this subsection shall be paid to the several counties for distribution
15 to special purpose taxing districts as follows:

16 (i) Each such district that received a payment under the provi-
17 sions of section 63-3638(e), Idaho Code, as such subsection ex-
18 isted immediately prior to July 1, 2000, during the fourth quarter
19 of calendar year 1999, shall be entitled to a like amount during
20 succeeding calendar quarters.

21 (ii) If the dollar amount of money available under this subsec-
22 tion (10) (c) in any quarter does not equal the amount paid in the
23 fourth quarter of calendar year 1999, each special purpose taxing
24 district's payment shall be reduced proportionately.

25 (iii) If the dollar amount of money available under this subsec-
26 tion (10) (c) in any quarter exceeds the amount distributed under
27 paragraph (c) (i) of this subsection, each special purpose tax-
28 ing district shall be entitled to a share of the excess based on
29 the proportion each such district's current property tax budget
30 bears to the sum of the current property tax budgets of all such
31 districts in the state. The state tax commission shall calculate
32 district current property tax budgets to include any unrecovered
33 forgone amounts as determined under section 63-802(1) (e), Idaho
34 Code. When a special purpose taxing district is situated in more
35 than one (1) county, the state tax commission shall determine the
36 portion attributable to the special purpose taxing district from
37 each county in which it is situated.

38 (iv) If special purpose taxing districts are consolidated, the
39 resulting district is entitled to a base amount equal to the sum of
40 the base amounts received in the last calendar quarter by each dis-
41 trict prior to the consolidation.

42 (v) If a special purpose taxing district is dissolved or disin-
43 corporated, the state tax commission shall continuously distrib-
44 ute to the board of county commissioners an amount equal to the
45 last quarter's distribution prior to dissolution or disincorpora-
46 tion. The board of county commissioners shall determine any re-
47 distribution of moneys so received.

48 (vi) Taxing districts formed after January 1, 2001, are not en-
49 titled to a payment under the provisions of this paragraph (c) of
50 this subsection.

1 (vii) For purposes of this paragraph (c) of this subsection, a spe-
2 cial purpose taxing district is any taxing district that is not a
3 city, a county, or a school district.

4 (11) Amounts calculated in accordance with section 2, chapter 356, laws
5 of 2001, for annual distribution to counties and other taxing districts be-
6 ginning in October 2001 for replacement of property tax on farm machinery and
7 equipment exempted pursuant to section 63-602EE, Idaho Code. For nonschool
8 districts, the state tax commission shall distribute one-fourth (1/4) of
9 this amount certified quarterly to each county. For school districts, the
10 state tax commission shall distribute one-fourth (1/4) of the amount cer-
11 tified quarterly to each school district. For nonschool districts, the
12 county auditor shall distribute such amounts to each district within thirty
13 (30) calendar days from receipt of moneys from the state tax commission.
14 Moneys received by each taxing district for replacement shall be utilized
15 in the same manner and in the same proportions as revenues from property
16 taxation. The moneys remitted to the county treasurer for replacement of
17 property exempt from taxation pursuant to section 63-602EE, Idaho Code, may
18 be considered by the counties and other taxing districts and budgeted at the
19 same time, in the same manner and in the same year as revenues from taxation
20 on personal property which these moneys replace. If taxing districts are
21 consolidated, the resulting district is entitled to an amount equal to the
22 sum of the amounts received in the last calendar quarter by each district
23 pursuant to this subsection prior to the consolidation. If a taxing district
24 is dissolved or disincorporated, the state tax commission shall continu-
25 ously distribute to the board of county commissioners an amount equal to the
26 last quarter's distribution prior to dissolution or disincorporation. The
27 board of county commissioners shall determine any redistribution of moneys
28 so received. If a taxing district annexes territory, the distribution of
29 moneys received pursuant to this subsection shall be unaffected. Taxing
30 districts formed after January 1, 2001, are not entitled to a payment under
31 the provisions of this subsection. School districts shall receive an amount
32 determined by multiplying the sum of the year 2000 school district levy mi-
33 nus .004 times the market value on December 31, 2000, in the district of the
34 property exempt from taxation pursuant to section 63-602EE, Idaho Code, pro-
35 vided that the result of these calculations shall not be less than zero (0).
36 The result of these school district calculations shall be further increased
37 by six percent (6%). For purposes of the limitation provided by section
38 63-802, Idaho Code, moneys received pursuant to this section as property tax
39 replacement for property exempt from taxation pursuant to section 63-602EE,
40 Idaho Code, shall be treated as property tax revenues.

41 (12) Amounts necessary to pay refunds as provided in section 63-3641,
42 Idaho Code, to a developer of a retail complex shall be remitted to the demon-
43 stration pilot project fund created in section 63-3641, Idaho Code.

44 (13) Amounts calculated in accordance with section 63-602KK(4), Idaho
45 Code, for annual distribution to counties and other taxing districts for
46 replacement of property tax on personal property tax exemptions pursuant
47 to section 63-602KK(2), Idaho Code, which amounts are continuously ap-
48 propriated unless the legislature enacts a different appropriation for a
49 particular fiscal year. For purposes of the limitation provided by section
50 63-802, Idaho Code, moneys received pursuant to this section as property tax

1 replacement for property exempt from taxation pursuant to section 63-602KK,
2 Idaho Code, shall be treated as property tax revenues. If taxing districts
3 are consolidated, the resulting district is entitled to an amount equal to
4 the sum of the amounts that were received in the last calendar year by each
5 district pursuant to this subsection prior to the consolidation. If a taxing
6 district or revenue allocation area annexes territory, the distribution of
7 moneys received pursuant to this subsection shall be unaffected. Taxing
8 districts and revenue allocation areas formed after January 1, 2022, are not
9 entitled to a payment under the provisions of this subsection.

10 (14) For fiscal years 2023 and 2024 only, a sum of thirty-four million
11 dollars (\$34,000,000) shall be distributed each year by the state tax com-
12 mission to the forty-four (44) counties in the proportion that the expen-
13 ditures of each county for indigent defense services during county fiscal
14 year 2021, excluding any state funding or grants, bear to the expenditures
15 of all counties in the state for indigent defense services during county fis-
16 cal year 2021, excluding any state funding or grants. No later than July 1,
17 2022, the state public defense commission shall certify to the state tax com-
18 mission each county's proportionate share of all counties' indigent defense
19 expenses in county fiscal year 2021, excluding any state funding or grants.

20 (15) ~~Any moneys remaining over and above those necessary to meet and~~
21 ~~reserve for payments under other subsections of this section shall be dis-~~
22 ~~tributed to the general fund.~~ For fiscal year 2024 and each fiscal year
23 thereafter, four and five-tenths percent (4.5%) of revenues collected under
24 this chapter, following any distributions required by sections 63-3203,
25 63-3620F(2), and 63-3709, Idaho Code, and by subsection (1) of this section,
26 is continuously appropriated and shall be distributed to the homeowner prop-
27 erty tax relief account, which is hereby created in the state treasury, for
28 homeowner property tax relief pursuant to the provisions of section 63-724,
29 Idaho Code.

30 (16) (a) Four and five-tenths percent (4.5%), but not less than eighty
31 million dollars (\$80,000,000), is continuously appropriated and shall
32 be distributed to the transportation expansion and congestion mitiga-
33 tion fund established in section 40-720, Idaho Code.

34 (b) Any portion of the four and five-tenths percent (4.5%) provided for
35 in paragraph (a) of this subsection that exceeds eighty million dollars
36 (\$80,000,000) is continuously appropriated and shall be apportioned
37 to local units of government for local highway projects in the same
38 percentages provided for in section 40-709(1) through (3), Idaho Code.
39 Local units of government may pool funds allocated to them pursuant to
40 this paragraph for local highway projects.

41 (c) The distribution provided for in this subsection must immediately
42 follow the distribution provided for in subsection (10) of this sec-
43 tion.

44 (17) Beginning in fiscal year 2024 and each fiscal year thereafter,
45 three hundred thirty million dollars (\$330,000,000) shall be distributed
46 annually to the public school income fund created in section 33-903, Idaho
47 Code, and eighty million dollars (\$80,000,000) shall be distributed annu-
48 ally to the in-demand careers fund established in section 33-4305, Idaho
49 Code. The state tax commission shall make such transfers in quarterly in-

1 stallments. The distributions required by this subsection must immediately
2 follow the distributions provided for in subsection (16) of this section.

3 (18) Any moneys remaining over and above those necessary to meet and
4 reserve for payments under other subsections of this section shall be dis-
5 tributed to the general fund.

6 SECTION 4. CASH TRANSFER FROM THE GENERAL FUND. Moneys from the General
7 Fund shall be used to fund the first year of the homeowner property tax relief
8 program pursuant to Section 63-724, Idaho Code, prior to the availability of
9 sales tax funding pursuant to Section 63-3638(15), Idaho Code, as provided
10 in this act. There is hereby appropriated and the State Tax Commission shall
11 transfer a total of \$150,000,000 in two payments from the General Fund to the
12 Homeowner Property Tax Relief Account. The transfers shall be made by Decem-
13 ber 20, 2023, and June 20, 2024.

14 SECTION 5. An emergency existing therefor, which emergency is hereby
15 declared to exist, this act shall be in full force and effect on and after its
16 passage and approval.