

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 390

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO PROPERTY; AMENDING SECTION 63-208, IDAHO CODE, TO REVISE PROVI-
2 SIONS REGARDING THE DETERMINATION OF MARKET VALUE FOR ASSESSMENT PUR-
3 POSES OF A PROPERTY.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 63-208, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 63-208. RULES PERTAINING TO MARKET VALUE -- DUTY OF ASSESSORS. (1) It
9 shall be the duty of the state tax commission to prepare and distribute to
10 each county assessor and the county commissioners within the state of Idaho,
11 such rules prescribing and directing the manner in which market value for
12 assessment purposes is to be determined for the purpose of taxation. The
13 rules promulgated by the state tax commission shall require each assessor to
14 find market value for assessment purposes of all property, except that ex-
15 pressly exempt under chapter 6, title 63, Idaho Code, within his county ac-
16 ording to recognized appraisal methods and techniques as set forth by the
17 state tax commission; provided, that the actual and functional use shall be a
18 major consideration when determining market value for assessment purposes.
19 Provided, further, that if the property assessed has had a fee appraisal com-
20 pleted by a certified appraiser or has been sold in an arms-length trans-
21 action, or both, within the previous twelve (12) months, the fee appraisal
22 value or sales price, whichever is less, shall be considered the market value
23 for assessment purposes of the property. The owner must provide the county
24 assessor with the appraisal or cooperate with the county assessor in dis-
25 closing documentation of the sale.

26 (2) To maximize uniformity and equity in assessment of different cate-
27 gories of property, such rules shall, to the extent practical, require the
28 use of reproduction or replacement cost, less depreciation as opposed to
29 historic cost less depreciation, whenever cost is considered as a single or
30 one (1) of several factors in establishing the market value of depreciable
31 property. The state tax commission shall also prepare and distribute amend-
32 ments and changes to the rules as shall be necessary in order to carry out
33 the intent and purposes of this title. The rules shall be in the form as the
34 commission shall direct, and shall be made available upon request to other
35 public officers and the general public in reasonable quantities without
36 charge. In ascertaining the market value for assessment purposes of any item
37 of property, the assessor of each county shall, and is required to, abide by,
38 adhere to and conform with rules promulgated by the state tax commission.