

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 484

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO HIGHWAY DISTRICT LEVIES; AMENDING SECTION 50-2908, IDAHO CODE,
2 TO EXEMPT LEVY DISTRIBUTIONS TO CERTAIN HIGHWAY DISTRICTS FROM URBAN
3 RENEWAL DISTRICT REVENUE ALLOCATION AREA TAX INCREMENTS, TO PROVIDE AN
4 EXCEPTION, AND TO MAKE A TECHNICAL CORRECTION.
5

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

7 SECTION 1. That Section 50-2908, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 50-2908. DETERMINATION OF TAX LEVIES -- CREATION OF SPECIAL FUND. (1)
10 For purposes of calculating the rate at which taxes shall be levied by or
11 for each taxing district in which a revenue allocation area is located, the
12 county commissioners shall, with respect to the taxable property located in
13 such revenue allocation area, use the equalized assessed value of such tax-
14 able property as shown on the base assessment roll rather than on the current
15 equalized assessed valuation of such taxable property, except the current
16 equalized assessed valuation shall be used for calculating the tax rate for:

17 (a) Levies for refunds and credits pursuant to section 63-1305, Idaho
18 Code, and any judgment pursuant to section 33-802(1), Idaho Code, certi-
19 fied after December 31, 2007;

20 (b) Levies permitted pursuant to section 63-802(3), Idaho Code, certi-
21 fied after December 31, 2007;

22 (c) Levies for voter-approved general obligation bonds of any taxing
23 district and plant facility reserve fund levies passed after December
24 31, 2007;

25 (d) Levies for payment of obligations that have been judicially con-
26 firmed pursuant to chapter 13, title 7, Idaho Code, and that meet the
27 criteria of sections 63-1315 and 63-1316, Idaho Code;

28 (e) Levies set forth in paragraphs (a) through (d) of this subsection,
29 first certified prior to December 31, 2007, when the property affected
30 by said levies is included within the boundaries of a revenue allocation
31 area by a change in the boundaries of either the revenue allocation area
32 or any taxing district after December 31, 2007; and

33 (f) School levies for supplemental maintenance and operation pursuant
34 to section 33-802(3) and (4), Idaho Code, approved after December 31,
35 2007, and for emergency funds pursuant to section 33-805, Idaho Code,
36 approved after July 1, 2015; and

37 (g) Highway district levies when applied to a revenue allocation area
38 that was first formed or expanded to include the property on and after
39 July 1, 2020. Provided, however, a highway district may enter into an
40 agreement with the urban renewal district to waive its rights under this
41 paragraph.

1 (2) With respect to each such taxing district, the tax rate calculated
2 under subsection (1) of this section shall be applied to the current equal-
3 ized assessed valuation of all taxable property in the taxing district, in-
4 cluding the taxable property in the revenue allocation area. The tax rev-
5 enues thereby produced shall be allocated as follows:

6 (a) To the taxing district shall be allocated and shall be paid by the
7 county treasurer:

8 (i) All taxes levied by the taxing district or on its behalf on
9 taxable property located within the taxing district but outside
10 the revenue allocation area;

11 (ii) A portion of the taxes levied by the taxing district or on its
12 behalf on the taxable property located within the revenue allo-
13 cation area, which portion is the amount produced by applying the
14 taxing district's tax rate determined under subsection (1) of this
15 section to the equalized assessed valuation, as shown on the base
16 assessment roll, of the taxable property located within the rev-
17 enue allocation area; and

18 (iii) All taxes levied by the taxing district to satisfy obliga-
19 tions specified in subsection (1) of this section.

20 (b) To the urban renewal agency shall be allocated the balance, if any,
21 of the taxes levied on the taxable property located within the revenue
22 allocation area.

23 (3) Upon enactment of an ordinance adopting a revenue allocation fi-
24 nancing provision as part of an urban renewal plan, the urban renewal agency
25 shall create a special fund or funds to be used for the purposes enumerated
26 in this chapter. The revenues allocated to the urban renewal agency pursuant
27 to this chapter shall be paid to the agency by the treasurer of the county in
28 which the revenue allocation district is located and shall be deposited by
29 the agency into one (1) or more of such special funds. The agency may, in ad-
30 dition, deposit into such special fund or funds such other income, proceeds,
31 revenues and funds it may receive from sources other than the revenues allo-
32 cated to it under subsection (2) (b) of this section.

33 (4) For the purposes of section 63-803, Idaho Code, during the period
34 when revenue allocation under this chapter is in effect, and solely with
35 respect to any taxing district in which a revenue allocation area is located,
36 the county commissioners shall, in fixing any tax levy other than a levy
37 specified in subsection (1) of this section, take into consideration the
38 equalized assessed valuation of the taxable property situated in the revenue
39 allocation area as shown in the base assessment roll, rather than the current
40 equalized assessed value of such taxable property.

41 (5) For all other purposes, including, without limitation, for pur-
42 poses of sections 33-802, 33-1002 and 63-1313, Idaho Code, reference in the
43 Idaho Code to the term "market value for assessment purposes" (or any other
44 such similar term) shall mean market value for assessment purposes as de-
45 fined in section 63-208, Idaho Code.