

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 124

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO PROPERTY TAXATION; AMENDING SECTION 63-301A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NEW CONSTRUCTION ROLL TO PROVIDE FOR A CERTAIN TIME FRAME AND TO MAKE A TECHNICAL CORRECTION.

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

SECTION 1. That Section 63-301A, Idaho Code, be, and the same is hereby amended to read as follows:

63-301A. NEW CONSTRUCTION ROLL. (1) The county assessor shall prepare a new construction roll, which shall be in addition to the property roll, which new construction roll shall show:

(a) The name of the taxpayer;

(b) The description of the new construction, suitably detailed to meet the requirements of the individual county;

(c) A description of the land and its change in use, suitably detailed to meet the needs of the individual county;

(d) The amount of taxable market value added to the property on the current year's property roll that is directly the result of new construction or a change in use of the land or both;

(e) The amount of taxable market value added as provided in subsection (3) (g) of this section as a result of dissolution of any revenue allocation area;

(f) The amount of taxable market value to be deducted to reflect the adjustments required in paragraphs (f) (i), (f) (ii) and (f) (iii) of this subsection:

(i) Any board of tax appeals or court ordered value change, if property has a taxable value lower than that shown on any previous new construction roll in any one (1) of the immediate five (5) tax years preceding the current tax year;

(ii) Any reduction in value resulting from correction of value improperly included on any previous new construction roll as a result of double or otherwise erroneous assessment;

(iii) Any reduction in value, in any one (1) of the immediate five (5) tax years preceding the current tax year, resulting from a change of land use classification.

(2) As soon as possible, but in any event by no later than the first Monday in June, the new construction roll shall be certified to the county auditor and a listing showing the amount of value on the new construction roll in each taxing district or unit be forwarded to the state tax commission on or before the fourth Monday in July. Provided however, the value shown in subsection (3) (f) of this section shall be reported to the appropriate county auditor by the state tax commission by the third Monday in July and the value sent by the county auditor to each taxing district. The value established

1 pursuant to subsection (3) (f) of this section is subject to correction by the
2 state tax commission until the first Monday in September and any such correc-
3 tions shall be sent to the appropriate county auditor, who shall notify any
4 affected taxing districts.

5 (3) The value shown on the new construction roll shall include the tax-
6 able market value increase from:

7 (a) Construction of any new structure that previously did not exist; or
8 (b) Additions or alterations to existing nonresidential structures; or
9 (c) Installation of new or used manufactured housing that did not pre-
10 viously exist within the county; or

11 (d) Change of land use classification; or

12 (e) Property newly taxable as a result of loss of the exemption provided
13 by section 63-602W, Idaho Code; or

14 (f) The construction of any improvement or installation of any equip-
15 ment used for or in conjunction with the generation of electricity and
16 the addition of any improvement or equipment intended to be so used, ex-
17 cept property that has a value allocated or apportioned pursuant to sec-
18 tion 63-405, Idaho Code, or that is owned by a cooperative or municipal-
19 ity, as those terms are defined in section 61-332A, Idaho Code, or that
20 is owned by a public utility, as that term is defined in section 61-332A,
21 Idaho Code, owning any other property that is allocated or apportioned.
22 No replacement equipment or improvements may be included; or

23 (g) Increases in value over the base value of property on the base as-
24 sessment roll within an urban renewal revenue allocation area that has
25 been terminated pursuant to section 50-2909(4), Idaho Code, to the ex-
26 tent that this increment exceeds the incremental value as of December
27 31, 2006, or, for revenue allocation areas formed after December 31,
28 2006, the entire increment value. Notwithstanding other provisions of
29 this section, the new construction roll shall not include new construc-
30 tion located within an urban renewal district's revenue allocation
31 area, except as provided in this subsection (3) (g); or

32 (h) New construction, previously in any one (1) of the immediate five
33 (5) tax years preceding the current tax year, allowable but never in-
34 cluded on a new construction roll, provided however, that, for such
35 property, the value on the new construction roll shall reflect the tax-
36 able value that would have been included on the new construction roll
37 for the first year in which the property should have been included.

38 (hi) Formerly exempt improvements on state college or state university
39 owned land for student dining, housing, or other education related pur-
40 poses approved by the state board of education and board of regents of
41 the university of Idaho as proper for the operation of such state col-
42 lege or university provided however, such improvements were never in-
43 cluded on any previous new construction roll.

44 (4) The amount of taxable market value of new construction shall be the
45 change in net taxable market value that is attributable directly to new con-
46 struction or a change in use of the land or loss of the exemption provided
47 by section 63-602W(3), Idaho Code. It shall not include any change in value
48 of existing property that is due to external market forces such as general
49 or localized inflation, except as provided in subsection (3) (g) of this sec-
50 tion.