

LAW AND ANALYSIS

Idaho Code section 63-3022A defines the different categories of benefits that qualify for RBD. Section (ii) mentions:

(ii) Retirement benefits paid from the firefighters' retirement fund of the state of Idaho to a retired firefighter or the unremarried widow or widower of a retired firefighter.

Idaho Tax Administration Rule 130(b) defines the firemen's retirement fund (**emphasis added**):

Retirement benefits paid as a result of participating in the firemen's retirement fund of the state of Idaho as authorized by Title 72, Chapter 14, Idaho Code. **A fireman is entitled to benefits from this fund only if he established eligibility as a paid fireman prior to October 1, 1980. Retirement benefits paid out of the public employee's retirement system do not qualify for the deduction.**

Petitioner participated in the PERSI base plan, which does not qualify for the deduction.

CONCLUSION

The Bureau sent Petitioner a Notice removing the RBD from his 2023 income tax return. After examination, it is clear that Petitioner did not participate in the firemen's retirement fund and did not qualify for the deduction.

THEREFORE, the Notice of Deficiency Determination dated February 4, 2026, directed to [REDACTED] is hereby AFFIRED and MADE FINAL.

IT IS ORDERED that Petitioner pay the following tax, penalty, and interest:

<u>YEAR</u>	<u>TAX</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
2023	\$1,554	\$78	\$185	\$1,817

The Tax Commission DEMANDS immediate payment of this amount.

An explanation of Petitioner's right to appeal this decision is enclosed.

DATED this _____ day of _____ 2026.

IDAHO STATE TAX COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 2026,
a copy of the within and foregoing DECISION was served by sending the same by United States
mail, postage prepaid, in an envelope addressed to:



Receipt No.
