

**IDAHO STATE TAX COMMISSION**

**RESOLUTION 23-02**

WHEREAS, House Bill 292 created Sections 33-911, 57-810, 63-724, Idaho Code and amended Section 63-902, Idaho Code and includes a number of administrative functions that will require information to be submitted by counties and other entities; and

WHEREAS, the tax relief resulting from House Bill 292 are not specified in statute in sufficient detail to ensure we will receive all necessary information in a format and time for us to complete our calculations and certification of tax relief amounts; and

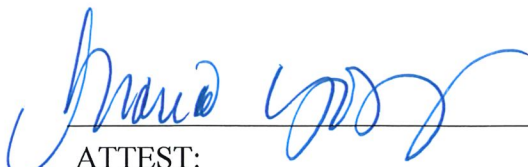
WHEREAS, House Bill 292 is effective retroactive to January 1, 2023 creates an immediate need to provide guidance to county assessors on the specifics necessary for proper administration:

1. Instructions to school districts regarding which funds are subject to subtraction for amounts received from the state.
2. Need to include net taxable value on the homeowners' tax reduction roll.
3. Need to identify applicable levies – in addition to eligible levies since, for example, some fire districts do not levy against land.
4. Need to identify increment value associated with homes for urban renewal allocations.
5. Need to determine and identify pro rata shares of property taxes levied within each county for multi-county taxing districts.
6. Need to lock in relief amounts per taxing district based on November certification and not further adjust based on later tax cancellations or levy corrections;

NOW THEREFORE, the State Tax Commission, by the majority vote taken at its Open Meeting of May 8, 2023, directs the Temporary Property Tax Rule 810T be hereby adopted.

DATED this 8<sup>th</sup> day of May 2023.

  
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Jeff McCray  
Chairman

  
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ATTEST:  
Maria Young

**RULE 810.** Sections 33-911, 57-810, 63-724, 63-902, and 63-315, Idaho Code.

**01. Procedures Regarding School District Facilities Fund.** The State Tax Commission will notify each county clerk no later than the first Monday in September each year of the amounts being distributed annually, pursuant to Section 33-911, Idaho Code, to each school district. Amounts received by each school district must be reported on the L2 form and subtracted from property tax otherwise to be certified for the following funds:

- a. Bonds.
- b. Temporary Supplemental Funds.

If the amount received by the school district from the school district facilities fund exhausts the payments for bonds and temporary supplemental funds, the remaining sums of money are saved in a reserve account and not subtracted from other school district levies.

**02. Procedures Regarding Homeowner Property Tax Relief.**

**a.** The homeowner property tax relief roll certified in August will be the preliminary roll and will include the market value, amount of homestead exemption granted, and net taxable value for the portion of each homestead, as defined in Section 63-701, Idaho Code, granted the homestead exemption.

i. No property granted the homestead exemption after the second Monday in July each year is to be included in this roll.

ii. No improvement granted the homestead exemption on property subject to occupancy tax, as provided in Section 63-317, Idaho Code, is to be included in this roll. Land associated with such improvement may be included if it is part of the homestead and if it has a homestead exemption granted by the second Monday in July.

iii. The amount of each homestead property's net taxable value attributable to increment and base, as defined in Section 50-2903, Idaho Code, will be shown on this roll.

iv. The amount of taxable value to which tax levies will apply will be shown on this roll. In the case of taxing districts that do not levy property tax against all otherwise taxable property, the net taxable value of the homestead applicable to each taxing district will be shown.

**b.** The completed homeowner property tax relief roll certified by the fourth Monday in October will include the following information in addition to the information provided in Subsection 02 of these rules.

i. The current year's tax levy applicable to the homestead and eligible for homeowner property tax relief pursuant to Section 63-724, Idaho Code.

ii. The amount of property taxes levied on the homestead based on levies eligible for homeowner property tax relief.

iii. The total homeowner property tax relief for all eligible properties in the county.

iv. The total amount of homeowner property tax relief based on increment value.

c. Actual tax relief provided to each homestead and shown on property tax notices will be based on the percentage and amounts certified to the county by the State Tax Commission as provided in Section 63-724, Idaho Code.

d. The provision in Section 63-724, Idaho Code, that requires homeowner property tax relief monies to be distributed in the same manner as property tax includes allocation to urban renewal agencies and all taxing districts as otherwise required.

**03. Procedures for Additional Property Tax Relief.** The procedures in this Subsection pertain to the distributions to each county pursuant to Section 57-810(2), Idaho Code, other than the amounts distributed to the school district facilities fund.

a. The amount of property tax levied for the current year and approved by the State Tax Commission will be the total amount based on approved property tax budgets for all taxing districts and amounts otherwise allocated to urban renewal agencies in each county. When this amount is determined for taxing districts located in more than one county, each county's share will be based on the prorated amount of the district's property tax being levied in that county.

b. In addition to the market values submitted to the State Tax Commission pursuant to Section 63-510, Idaho Code, each county auditor will include the net taxable value and increment value applicable to each urban renewal revenue allocation area within each taxing district.

c. Tax relief amounts provided pursuant to Section 57-810(2), Idaho Code, will be subtracted prior to determining amounts otherwise certified to the State Tax Commission on the property tax reduction roll pursuant to Section 63-707, Idaho Code.

**04. Tax Cancellations and Levy Corrections.** Tax cancellations and levy corrections pursuant to Section 63-810, Idaho Code, occurring after certification of tax relief amounts to be paid by the State Tax Commission to each county will not alter amounts to be paid by the State Tax Commission. Counties receiving tax relief payments that exceed the amount that would have been paid had the tax cancellations or levy corrections been known at the time of the certification of tax relief amounts will remit the excessive amount to the state general fund using the procedure required for homeowner property tax relief overpayments in Section 63-724, Idaho Code.