

## **IDAPA 35 – STATE TAX COMMISSION**

### **35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES**

#### **DOCKET NO. 35-0103-**

#### **NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-5221(1) and 63-105A, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows: TBD

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process,
2. Attend through a teleconference,
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting, and/or
4. Submit written recommendations and comments to the address below.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Rule 131 is being amended to give guidance to county assessors on how to handle foreclosure sales. This proposed change adopts the International Association of Assessing Officer's "Standard on Verification and Adjustment of Sales.

New Rule 608 conforms with the provisions of House Bill 584a and provides that the homeowner's exemption continues for one year after the death of the individual who has previously qualified. The new proposed rule will explain that the homestead must continue to the claimant's estate without change in the owner of record and that property that are in life estates will not continue to get the exemption.

Rule 630 conforms with the provisions of House Bill 356 and requires that an annual application be submitted to the county in order to claim the property tax exemption under Section 63-4501 I.C. (New Capital Investments Incentive Act). Rule 630 also clarifies what information is required to be listed on the notice that serves as the annual exemption application.

Rule 714 is being amended to define the terms "sufficient equity" and proportional share and provides that properties encumbered with reverse mortgages need to be excluded from the property tax deferral program. This new proposed rule defines sufficient equity in specific dollars computed by multiplying the properties current property tax times a factor yet to be determined (10 to 50), excludes parcels encumbered with reverse mortgages, and clarifies that the proportional share is the taxpayer's equity in the property subject to the property tax deferral.

Rule 995 is being amended to identify the specific Bureau of the Census reports from which the populations for cities and counties are obtained for purposes of sales tax distribution.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Alan Dornfest (208) 334-7544.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned.

DATED this 4<sup>th</sup> day of May.

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