

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 178

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO PROPERTY TAX; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE
2 ADDITION OF A NEW SECTION 63-602PP, IDAHO CODE, TO PROVIDE A PROPERTY
3 TAX EXEMPTION FOR QUALIFIED BROADBAND EQUIPMENT; AND DECLARING AN EMER-
4 GENCY.
5

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

7 SECTION 1. That Chapter 6, Title 63, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 63-602PP, Idaho Code, and to read as follows:

10 63-602PP. PROPERTY EXEMPT FROM TAXATION -- BROADBAND EQUIP-
11 MENT. (1) Qualified broadband equipment of a business entity that installs
12 such equipment is exempt from taxation under this chapter as provided in this
13 section.

14 (2) For the purpose of this section:

15 (a) "Broadband" means high-speed transmission technologies, including
16 fiber, wireless, satellite, digital subscriber lines, and cable. Such
17 technologies must deliver high-speed internet access capable of actual
18 download speeds of at least one hundred (100) megabits per second and
19 actual upload speeds of at least twenty (20) megabits per second.

20 (b) "Last mile" means the technology and process of connecting the end
21 user to the local network provider.

22 (c) "Middle mile" means any broadband infrastructure that does not con-
23 nect directly to an end user location.

24 (d) "Qualified broadband equipment" means any capital investment nec-
25 essary to the provision of broadband service that is an integral part of
26 a broadband network, including middle mile and last mile projects.

27 (3) In the case of a business entity that has operating property as-
28 sessed in accordance with chapter 4, title 63, Idaho Code, the taxpayer shall
29 designate the property included in the exemption provided by this section on
30 its operator's statement pursuant to section 63-404, Idaho Code.

31 (4) In the case of a business entity that has property assessed in ac-
32 cordance with chapter 3, title 63, Idaho Code, the taxpayer shall certify
33 to the county assessor that the taxpayer's property for which the exemption
34 pursuant to this section is sought is qualified broadband equipment, as de-
35 fined in this section, located within the county.

36 (5) The state tax commission may promulgate rules necessary to imple-
37 ment the provisions of this section.

38 SECTION 2. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after its
40 passage and approval.