

IN THE SENATE

SENATE BILL NO. 1091

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2908, IDAHO CODE, TO REVISE APPLICATION FOR SCHOOL LEVIES FOR SUPPLEMENTAL MAINTENANCE AND OPERATION APPROVED AFTER DECEMBER 31, 2007, FOR CALCULATING THE TAX RATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Section 50-2908, Idaho Code, be, and the same is hereby amended to read as follows:

50-2908. DETERMINATION OF TAX LEVIES – CREATION OF SPECIAL FUND. (1) For purposes of calculating the rate at which taxes shall be levied by or for each taxing district in which a revenue allocation area is located, the county commissioners shall, with respect to the taxable property located in such revenue allocation area, use the equalized assessed value of such taxable property as shown on the base assessment roll rather than on the current equalized assessed valuation of such taxable property, except the current equalized assessed valuation shall be used for calculating the tax rate for:

- (a) Levies for refunds and credits pursuant to section 63-1305, Idaho Code, and any judgment pursuant to section 33-802(1), Idaho Code, certified after December 31, 2007;
- (b) Levies permitted pursuant to section 63-802(3), Idaho Code, certified after December 31, 2007;
- (c) Levies for voter approved general obligation bonds of any taxing district and plant facility reserve fund levies passed after December 31, 2007;
- (d) Levies set forth in paragraphs (1)(a) through (c) of this subsection, first certified prior to December 31, 2007, when the property affected by said levies is included within the boundaries of a revenue allocation area by a change in the boundaries of either the revenue allocation area or any taxing district after December 31, 2007; and
- (e) School levies for supplemental maintenance and operation pursuant to section 33-802(3) and (4), Idaho Code, approved after December 31, 2007, ~~or in the case of charter school districts any supplemental levy that does not exceed two (2) years in duration.~~

(2) With respect to each such taxing district, the tax rate calculated under subsection (1) of this section shall be applied to the current equalized assessed valuation of all taxable property in the taxing district, including the taxable property in the revenue allocation area. The tax revenues thereby produced shall be allocated as follows:

- (a) To the taxing district shall be allocated and shall be paid by the county treasurer:
 - (i) All taxes levied by the taxing district or on its behalf on taxable property located within the taxing district but outside the revenue allocation area;
 - (ii) A portion of the taxes levied by the taxing district or on its behalf on the taxable property located within the revenue allocation area, which portion is

1 the amount produced by applying the taxing district's tax rate determined under
2 subsection (1) of this section to the equalized assessed valuation, as shown on the
3 base assessment roll, of the taxable property located within the revenue allocation
4 area; and

5 (iii) All taxes levied by the taxing district to satisfy obligations specified in
6 subsection (1)(a) through (e) of this section.

7 (b) To the urban renewal agency shall be allocated the balance, if any, of the taxes levied
8 on the taxable property located within the revenue allocation area.

9 (3) Upon enactment of an ordinance adopting a revenue allocation financing provision as
10 part of an urban renewal plan, the urban renewal agency shall create a special fund or funds
11 to be used for the purposes enumerated in this chapter. The revenues allocated to the urban
12 renewal agency pursuant to this chapter, shall be paid to the agency by the treasurer of the
13 county in which the revenue allocation district is located and shall be deposited by the agency
14 into one (1) or more of such special funds. The agency may, in addition, deposit into such
15 special fund or funds such other income, proceeds, revenues and funds it may receive from
16 sources other than the revenues allocated to it under subsection (2)(b) of this section.

17 (4) For the purposes of section 63-803, Idaho Code, during the period when revenue
18 allocation under this chapter is in effect, and solely with respect to any taxing district in
19 which a revenue allocation area is located, the county commissioners shall, in fixing any tax
20 levy other than the levy specified in subsection (1)(a) through (e) of this section, take into
21 consideration the equalized assessed valuation of the taxable property situated in the revenue
22 allocation area as shown in the base assessment roll, rather than the current equalized assessed
23 value of such taxable property.

24 (5) For all other purposes, including, without limitation, for purposes of sections 33-802,
25 33-1002 and 63-1313, Idaho Code, reference in the Idaho Code to the term "market value for
26 assessment purposes" (or any other such similar term) shall mean market value for assessment
27 purposes as defined in section 63-208, Idaho Code.

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