

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 135

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO REVENUE ALLOCATION AREAS; AMENDING SECTION 50-2904, IDAHO CODE,
2 TO PROVIDE AN ELECTION FOR THE CREATION OF REVENUE ALLOCATION AREAS; AND
3 DECLARING AN EMERGENCY.
4

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

6 SECTION 1. That Section 50-2904, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 50-2904. AUTHORITY TO CREATE REVENUE ALLOCATION AREA. An authorized
9 municipality is hereby authorized and empowered to adopt, at any time, a rev-
10 enue allocation financing provision, as described in this chapter, as part
11 of an urban renewal plan or competitively disadvantaged border community
12 area ordinance if compliance with the provisions of this section occurs. A
13 revenue allocation financing provision may be ~~adopted~~ proposed either at
14 the time of the original adoption of an urban renewal plan or the creation by
15 ordinance of a competitively disadvantaged border community area or there-
16 after as a modification of an urban renewal plan or the ordinance creating
17 the competitively disadvantaged border community area. A revenue alloca-
18 tion financing provision proposed on and after July 1, 2013, shall not be
19 adopted unless there is an affirmative vote of the electorate to do so in the
20 same manner as provided in section 50-2006, Idaho Code, as if the revenue
21 allocation financing provision were an urban renewal agency. Registered
22 voters of the city or county that created the urban renewal agency shall be
23 those eligible to vote in the election. Urban renewal plans existing prior
24 to the effective date of this section may be modified to include a revenue
25 allocation financing provision. Except as provided in subsections (1), (2),
26 (3) and (4) of this section, no revenue allocation provision of an urban re-
27 newal plan or competitively disadvantaged border community area ordinance,
28 including all amendments thereto, shall have a duration exceeding twenty
29 (20) years from the date the ordinance is approved by the municipality; and
30 provided further, no additions to the land area of an existing revenue allo-
31 cation area shall be interpreted to or shall cause an extension of the date of
32 the twenty (20) year limit that was originally established for the revenue
33 allocation area. Notwithstanding these limitations, the duration of the
34 revenue allocation financing provision may be extended if:

35 (1) The maturity date of any bonds issued to provide funds for a spe-
36 cific project in the revenue allocation area and payable from the revenue al-
37 location financing provision exceeds the duration of the revenue allocation
38 financing provision, provided such bond maturity is not greater than twenty
39 (20) years; or

40 (2) The urban renewal agency determines that it is necessary to refi-
41 nance outstanding bonds payable from the revenue allocation financing pro-

1 vision to a maturity exceeding the twenty (20) year duration of the revenue
2 allocation financing provision in order to avoid a default on the bonds; or

3 (3) The local governing body has adopted an urban renewal plan or com-
4 petitively disadvantaged border community area ordinance or an amendment to
5 an urban renewal plan or competitively disadvantaged border community area
6 ordinance prior to July 1, 2000, in which is defined the duration of the plan
7 beyond a period of twenty (20) years, in which case the revenue allocation
8 provision shall have a duration as described in such urban renewal plan or
9 competitively disadvantaged border community area ordinance or may be ex-
10 tended as set forth in subsection (2) of this section; and

11 (4) The local governing body has adopted an urban renewal plan or com-
12 petitively disadvantaged border community area ordinance or an amendment to
13 an urban renewal plan or competitively disadvantaged border community area
14 ordinance after July 1, 2000, and prior to July 1, 2011, in which is defined
15 the duration of the plan beyond a period of twenty (20) years in which case
16 the revenue allocation provision shall have a duration as described in such
17 urban renewal plan or competitively disadvantaged border community area
18 ordinance. The duration of the revenue allocation financing provision set
19 forth in this subsection may be extended if the maturity date of any bonds
20 issued to provide funds for a specific project in the revenue allocation
21 area and payable from the revenue allocation financing provision exceeds the
22 duration of the revenue allocation financing provision, provided such bond
23 maturity is not greater than thirty (30) years or may be extended as set forth
24 in subsection (2) of this section.

25 (5) During the extension set forth in subsections (1), (2), (3) and (4)
26 of this section, any revenue allocation area revenues exceeding the amount
27 necessary to repay the bonds during the period exceeding the maximum year ma-
28 turity of the revenue allocation financing provision shall be returned to
29 the taxing districts in the revenue allocation area on a pro rata basis. If
30 the extension is proposed on and after July 1, 2013, such extension must be
31 approved by the electorate as provided in this section.

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