

IN THE SENATE

SENATE BILL NO. 1213

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

1 RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602, IDAHO
2 CODE, TO REVISE A DEFINITION AND ADD WELLS DRILLED FOR THE PRODUCTION
3 OF OIL, GAS OR HYDROCARBON CONDENSATE TO THOSE EXEMPTIONS FOR WHICH AN-
4 NUAL APPLICATION AND APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS AP-
5 PPLY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.
6

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

8 SECTION 1. That Section 63-602, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 63-602. PROPERTY EXEMPT FROM TAXATION. (1) Property shall be exempt
11 from taxation as provided in titles 21, 22, 25, 26, 31, 33, 39, 41, 42, 49, 50,
12 67 and 70, Idaho Code, and in chapters 6, 24, 30, 35 and 45, title 63, Idaho
13 Code; provided, that no deduction shall be made in assessment of shares of
14 capital stock of any corporation or association for exemptions claimed under
15 this section, and provided further, that the term "full cash value" wherever
16 used in this act shall mean the actual assessed value of the property as to
17 which an exemption is claimed.

18 (2) The use of the words "exclusive" or "exclusively" in this chapter
19 shall mean used exclusively for any one (1) or more, or any combination of,
20 the exempt purposes provided hereunder and property used for more than one
21 (1) exempt purpose, pursuant to the provisions of sections 63-602A through
22 ~~63-602NN~~ 63-60200, Idaho Code, shall be exempt from taxation hereunder so
23 long as the property is used exclusively for one (1) or more or any combina-
24 tion of the exempt purposes provided hereunder.

25 (3) All exemptions from property taxation claimed shall be approved an-
26 nually by the board of county commissioners or unless otherwise provided:

27 (a) Exemptions pursuant to sections 63-602A, 63-602F, 63-602I,
28 63-602J, 63-602K for land of more than five (5) contiguous acres,
29 63-602L(1), 63-602M, 63-602R, 63-602S, 63-602U, 63-602V, 63-602W,
30 63-602Z, 63-602DD(1), 63-602EE, 63-60200, 63-2431, 63-3502, 63-3502A
31 and 63-3502B, Idaho Code, do not require application or approval by the
32 board of county commissioners. For all other exemptions in title 63,
33 Idaho Code, the process of applying is as specified in the exemption
34 statutes or, if no process is specified and application is necessary to
35 identify the property eligible for the exemption, annual application is
36 required. Exemptions in other titles require no application.

37 (b) For exemptions that require an application, provided such exemp-
38 tions are for property otherwise subject to assessment by the county
39 assessor, the application must be made to the county commissioners by
40 April 15 and the taxpayer and county assessor must be notified of any de-
41 cision by May 15, unless otherwise provided by law. The decision of the
42 county commissioners and any subsequent assessment notices sent to the

1 taxpayer may be appealed to the county board of equalization pursuant to
2 sections 63-501 and 63-501A, Idaho Code.

3 (c) For exemptions that require an application, provided such exemp-
4 tions are for property otherwise subject to assessment by the state tax
5 commission, application for exemption shall be included with the an-
6 nual operator's statement as required pursuant to section 63-404, Idaho
7 Code. Notice of the decision and its effect on the assessment will be
8 provided in accordance with procedures specified in chapter 4, title
9 63, Idaho Code. Appeals shall be to the state tax commission in accor-
10 dance with section 63-407, Idaho Code.

11 SECTION 2. An emergency existing therefor, which emergency is hereby
12 declared to exist, this act shall be in full force and effect on and after its
13 passage and approval, and retroactively to January 1, 2014.