

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 100

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1  
2 RELATING TO PROPERTY VALUATION FOR TAX PURPOSES; AMENDING SECTION 63-208,  
3 IDAHO CODE, TO REVISE PROVISIONS REGARDING DUTIES OF ASSESSORS AND TO  
4 PROVIDE FOR THE VALUATION OF SPECIAL PURPOSE COMMERCIAL PROPERTY; AND  
5 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

7 SECTION 1. That Section 63-208, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 63-208. RULES PERTAINING TO MARKET VALUE -- DUTY OF ASSESSORS. (1) It  
10 shall be the duty of the state tax commission to prepare and distribute to  
11 each county assessor and the county commissioners within the state of Idaho,  
12 rules prescribing and directing the manner in which market value for assess-  
13 ment purposes is to be determined for the purpose of taxation. The rules pro-  
14 mulgated by the state tax commission shall require each assessor to find mar-  
15 ket value for assessment purposes of all property, except that expressly ex-  
16 empt under chapter 6, title 63, Idaho Code, and each county assessor shall  
17 provide all parcel owners the numerical breakdown of exempted value under  
18 chapter 6, title 63, Idaho Code, being subtracted from full market value,  
19 within his county according to recognized appraisal methods and techniques  
20 as set forth by the state tax commission; provided, that the actual and func-  
21 tional use shall be a major consideration when determining market value for  
22 assessment purposes.

23 (2) To maximize uniformity and equity in assessment of different cat-  
24 egories of property, such rules shall, to the extent practical, require the  
25 use of reproduction or replacement cost less depreciation as opposed to his-  
26 toric cost less depreciation whenever cost is considered as a single or one  
27 (1) of several factors in establishing the market value of depreciable prop-  
28 erty. The state tax commission shall also prepare and distribute amendments  
29 and changes to the rules as shall be necessary in order to carry out the in-  
30 tent and purposes of this title. The rules shall be in the form as the commis-  
31 sion shall direct, and shall be made available upon request to other public  
32 officers and the general public in reasonable quantities without charge. In  
33 ascertaining the market value for assessment purposes of any item of prop-  
34 erty, the assessor of each county shall, and is required to, abide by, adhere  
35 to and conform with rules promulgated by the state tax commission.

36 (3) When establishing the real property market value for assessment  
37 purposes of a special purpose commercial property, the assessor may use  
38 one (1) or more market valuation methods, provided that the market value  
39 shall not exceed land value, plus reproduction or replacement cost of the  
40 improvements, less depreciation. A special purpose commercial property is  
41 a limited-market property with a unique physical design, special construc-  
42 tion materials, or a layout that restricts its utility to the specific use

1 for which it was built. Special purpose commercial properties include but  
2 are not limited to nursing homes, assisted living facilities, self-service  
3 storage facilities, hotels and motels, gas stations, and car washes.

4 SECTION 2. An emergency existing therefor, which emergency is hereby  
5 declared to exist, this act shall be in full force and effect on and after  
6 July 1, 2023.