

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 736

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO TAXATION; REPEALING SECTION 63-205B, IDAHO CODE, RELATING TO THE
2 ASSESSMENT OF OPERATING PROPERTY OF RATE-REGULATED ELECTRIC UTILITY
3 COMPANIES; AMENDING SECTION 63-405, IDAHO CODE, TO REVISE PROVISIONS
4 REGARDING THE ASSESSMENT OF OPERATING PROPERTY; AMENDING SECTION
5 63-6020, IDAHO CODE, TO LIMIT THE APPLICABILITY OF CERTAIN PROPERTY
6 TAX EXEMPTIONS; AMENDING SECTION 63-602JJ, IDAHO CODE, TO REVISE PRO-
7 VISIONS REGARDING PROPERTY EXEMPT FROM TAXATION AND TO PROVIDE FOR
8 CERTAIN RATE-REGULATED ELECTRIC UTILITY COMPANIES; AMENDING SECTION
9 63-603, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DETERMINATION OF
10 PROPERTY TAX EXEMPTION AMOUNTS; AMENDING SECTION 63-3502B, IDAHO CODE,
11 TO REVISE PROVISIONS REGARDING THE LEVY OF TAX ON CERTAIN ELECTRICAL
12 PRODUCTION AND RATE-REGULATED ELECTRIC UTILITY COMPANIES; AMENDING
13 CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
14 63-3502C, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE EXEMPTION
15 OF THE KILOWATT-HOUR TAX FOR ELECTRICITY USED IN IRRIGATION; AMEND-
16 ING CHAPTER 35, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
17 63-3503C, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FILING OF AN
18 OPERATOR'S STATEMENT AND THE CALCULATION, COLLECTION, ALLOTMENT, AND
19 APPORTIONMENT OF TAX DUE FROM RATE-REGULATED ELECTRIC UTILITY COMPA-
20 NIES BY THE STATE TAX COMMISSION; AMENDING SECTION 63-3506, IDAHO CODE,
21 TO REVISE PROVISIONS REGARDING THE ASSESSMENT OF PROPERTY BY ASSESSOR;
22 AND PROVIDING AN EFFECTIVE DATE.
23

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

25 SECTION 1. That Section [63-205B](#), Idaho Code, be, and the same is hereby
26 repealed.

27 SECTION 2. That Section 63-405, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 63-405. ASSESSMENT OF OPERATING PROPERTY. (1) The state tax commis-
30 sion must assess ~~all~~ taxable operating property at a meeting of the commis-
31 sion convening on the second Monday of August in each year, and must complete
32 the assessment of such property on the fourth Monday in August.

33 (2) The state tax commission shall determine the system value and cal-
34 culate the allocation and apportionment of the system value for ~~all~~ taxable
35 operating property and specifically determine:

36 (a) The number of miles and the value per mile of each railroad in the
37 state and for each taxing district in which such railroad may exist.

38 (b) The number of miles and the value per mile of each telephone corpo-
39 ration in the state and for each taxing district in which such telephone
40 corporation may exist.

1 (c) The number of miles and the value per mile of each pipeline in the
2 state and for each taxing district in which such pipeline may exist.

3 (d) The number of miles and the value per mile of each water company
4 under the jurisdiction of the public utilities commission in the state,
5 and for each taxing district in which such water company may exist. The
6 value per mile of any line included in this subsection, except rail-
7 roads, shall be determined by dividing the total value of such line
8 within the state by the number of miles of such line within the state.
9 The value per mile of railroad line shall be determined by apportionment
10 of the total value of line within the state. The apportionment shall
11 be based twenty percent (20%) on the ratio of line miles in the state to
12 line miles in the county; forty percent (40%) on the ratio of net ton
13 miles in the state to net ton miles in the county; and forty percent
14 (40%) on the ratio of station revenues in the state to station revenues
15 in the county. All operating property of railroads shall be apportioned
16 to the counties as part of the railroad line in the county. The appor-
17 tionment for taxing districts shall be the same as the apportionment
18 among counties.

19 ~~(e) The system value, the number of miles and the value per mile of each~~
20 ~~electric current transmission line and each electric current distribu-~~
21 ~~tion line in each county separately, and for each taxing district within~~
22 ~~said county in which such transmission and distribution lines may ex-~~
23 ~~ist. The value per mile of any line included in this subsection shall~~
24 ~~be determined by dividing the apportioned value of such line within each~~
25 ~~county by the number of miles of such line within said county.~~

26 ~~(f) (e)~~ The system value of private railcar fleets entering or standing
27 in Idaho in the year preceding the constituted lien as provided in sec-
28 tion 63-411 (3), Idaho Code.

29 ~~(g) (f)~~ The system value and calculate the allocation and apportionment
30 of the system value for all other taxable operating property.

31 ~~(3) On and after January 1, 2004, any newly installed or constructed~~
32 ~~equipment located within a city corporate limit or within five (5) miles~~
33 ~~of a city corporate limit and used for and in conjunction with the thermal~~
34 ~~generation of electricity shall be apportioned based on physical location.~~
35 ~~For purposes of this subsection newly installed or constructed equipment~~
36 ~~used for and in conjunction with the thermal generation of electricity shall~~
37 ~~not include the remodeling, retrofitting, rehabilitation, refurbishing or~~
38 ~~modification of an existing electrical generation facility, or integration~~
39 ~~or transformation facilities such as substations or transmission lines.~~
40 ~~Notwithstanding the provisions of section 63-301A, Idaho Code, property~~
41 ~~apportioned based on physical location pursuant to this subsection shall be~~
42 ~~placed on the new construction roll.~~

43 (3) For rate-regulated electric utility companies subject to taxation
44 as provided in section 63-3502B(3), Idaho Code, the state tax commission
45 shall determine the amount of said tax to be apportioned to each county
46 separately in proportion to the property tax levied by all eligible tax-
47 ing districts and units and amounts allocated to each urban renewal agency
48 statewide in tax year 2024 on the operating property of rate-regulated
49 electric utility companies. The amount to be levied or allocated shall be
50 certified by each county auditor to the state tax commission no later than

1 January 6, 2025. The state tax commission shall calculate proportions by
 2 dividing the amount so reported by the sum of all such amounts for all eligi-
 3 ble taxing districts and units and urban renewal agencies statewide. These
 4 proportions shall be reported to each county auditor no later than January
 5 27, 2025. Taxing districts and units and urban renewal agencies are eligible
 6 for a proportion of this tax and are included in the calculation of these
 7 proportions, provided that they levied property tax against the operating
 8 property of electric utility companies or received an allocation of property
 9 tax paid by such companies for tax year 2024. No taxing district, urban re-
 10 newal revenue allocation area, or voter-approved bond or levy created after
 11 December 31, 2024, shall be eligible for apportionment under this section.
 12 In the event that a taxing district or unit or urban renewal revenue alloca-
 13 tion area dissolves or is no longer present in a county, these proportions
 14 shall be changed as follows:

15 (a) The state tax commission shall reduce the statewide sum of property
 16 tax on operating property of rate-regulated electric utility companies
 17 certified in January 2025 by the amount levied for the taxing districts
 18 and units or allocated to the urban renewal agency for the revenue allo-
 19 cation area no longer in existence in the county.

20 (b) The state tax commission shall divide the property tax certified
 21 in January 2025 less the amounts subtracted pursuant to paragraph (a)
 22 of this subsection by the reduced statewide sum calculated pursuant to
 23 paragraph (a) of this subsection.

24 (c) Proportions determined as a result of the calculation in para-
 25 graph (b) of this subsection shall be applied to the kilowatt-hour tax
 26 paid by rate-regulated electric utility companies pursuant to section
 27 63-3502B(3), Idaho Code, as of June 30 of the year immediately follow-
 28 ing the tax year in which the dissolution or other change resulting in a
 29 change to these proportions occurs.

30 (d) The county auditor shall be notified of any change to these propor-
 31 tions by the second Monday of July.

32 (4) If the value of property of any company assessable under this sec-
 33 tion is of such a nature that it cannot reasonably be apportioned on the basis
 34 of rail, wire, pipeline mileage, such as microwave and radio relay stations,
 35 the tax commission may adopt such other method or basis of apportionment to
 36 the county and taxing districts in which the property is situate as may be
 37 feasible and proper.

38 SECTION 3. That Section 63-6020, Idaho Code, be, and the same is hereby
 39 amended to read as follows:

40 63-6020. PROPERTY EXEMPT FROM TAXATION -- PROPERTY USED FOR GENERAT-
 41 ING AND DELIVERING ELECTRICAL POWER FOR IRRIGATION OR DRAINAGE PURPOSES AND
 42 PROPERTY USED FOR TRANSMITTING AND DELIVERING NATURAL GAS ENERGY FOR IRRIGA-
 43 TION OR DRAINAGE PURPOSES. The following property is exempt from taxation:
 44 property used for generating or delivering electrical power to the extent
 45 that such property is used for furnishing power for pumping water for irriga-
 46 tion or drainage purposes on lands in the state of Idaho, and property used
 47 for transmitting or delivering natural gas energy to the extent that such
 48 property is used for furnishing natural gas energy for pumping water for ir-
 49 rigation or drainage purposes on lands in the state of Idaho. This exemption

1 shall accrue to the benefit of the consumer of such power, or the consumer of
 2 such natural gas energy, except in cases where the water so pumped is sold or
 3 rented to irrigate lands, in which event the property used for generating or
 4 delivering power, and property used for transmitting or delivering natural
 5 gas energy, shall be assessed for taxation to the extent that such water is
 6 so sold or rented. The exemption provided in this section does not apply to
 7 property exempt pursuant to section 63-602JJ, Idaho Code.

8 SECTION 4. That Section 63-602JJ, Idaho Code, be, and the same is hereby
 9 amended to read as follows:

10 63-602JJ. PROPERTY EXEMPT FROM TAXATION -- CERTAIN PROPERTY OF
 11 PRODUCER OF ELECTRICITY BY MEANS OF WIND, SOLAR OR GEOTHERMAL ENERGY --
 12 RATE-REGULATED ELECTRIC UTILITY COMPANIES. Real estate, fixtures or per-
 13 sonal property is exempt from taxation if it is:

14 (1) Owned, controlled, operated or managed by an electrical or natural
 15 gas association, a rate-regulated electric utility company, or a producer of
 16 electricity by means of wind energy, solar energy or geothermal energy, ~~ex-~~
 17 ~~cluding entities that are regulated by the Idaho public utilities commission~~
 18 ~~as to price;~~

19 (2) Held or used in connection with or to facilitate the generation,
 20 transmission, distribution, delivery or measuring of electric power, nat-
 21 ural gas or electrical energy ~~generated, manufactured or produced by means~~
 22 ~~of wind energy, solar energy or geothermal energy,~~ and all conduits, ducts
 23 or other devices, materials, apparatus or property for containing, holding
 24 or carrying conductors used for the transmission, distribution and delivery
 25 of electric power, natural gas or electric energy ~~generated, manufactured or~~
 26 ~~produced by means of wind energy, solar energy or geothermal energy,~~ includ-
 27 ing construction tools, materials and supplies; and

28 (3) Subject to the taxes on gross earnings of wind, solar, or geother-
 29 mal energy earnings or rate-regulated electric utility companies pursuant
 30 to chapter 35, title 63, Idaho Code, and not subject to assessment by a county
 31 assessor pursuant to section 63-402, Idaho Code.

32 SECTION 5. That Section 63-603, Idaho Code, be, and the same is hereby
 33 amended to read as follows:

34 63-603. ELECTRIC COMPANIES, OR GAS, PUBLIC UTILITIES PUMPING WATER
 35 FOR IRRIGATION OR DRAINAGE -- REDUCTION OF ASSESSMENT IN ACCORDANCE WITH
 36 EXEMPTION -- CREDIT ON CUSTOMERS' BILLS OR PAYMENT TO CONSUMERS. (1) The
 37 state tax commission shall, at the time of assessment of the property of any
 38 electrical company, or gas, public utility, cooperative organized under the
 39 rural electrification administration act of the United States congress, or
 40 other company distributing electrical power ("utility") and subject to the
 41 exemption pursuant to section 63-6020, Idaho Code, determine the amount of
 42 the exemption under section 63-6020, Idaho Code, and shall reduce such as-
 43 sessment so that any such utility shall not be required to pay any property
 44 taxes upon that portion of its property so exempted.

45 The amount of such exemption or reduction by the state tax commission
 46 shall be as nearly as practicable, such as would yield the amount of property

1 taxes included in the rates of such utility under the tariff schedule(s) ap-
2 plicable to the furnishing of such electricity or gas.

3 (2) The full amount of property taxes which would have been due from
4 such utility if such exemption had not been made, shall be credited or paid
5 annually, for the year in which the exemption is made, on the electric or gas
6 bill, to the consumer by the utility furnishing such electricity or gas for
7 irrigation purposes.

8 (3) If the consumer is not a customer of the deliverer of electrical
9 power or natural gas energy, the full amount of property taxes which would
10 have been due from such utility if such exemption had not been made, shall be
11 paid annually, for the year in which the exemption is made, directly to the
12 consumer by the utility delivering such electricity or gas for irrigation
13 purposes. To qualify for credit or direct payment the person or organization
14 at the point of delivery must also be the person or organization pumping wa-
15 ter for irrigation purposes and not a distributor or redistributor of elec-
16 trical power or natural gas energy.

17 (4) For the purposes of determining the benefit to which each consumer
18 is entitled by virtue of this exemption, the following procedure is pro-
19 vided.

20 To receive the benefit of the exemption under section 63-6020, Idaho
21 Code, and this section, each consumer who is not a customer of the deliverer
22 of electrical power or gas energy must file an application with the state tax
23 commission on or before April 30 each year except that for the year 1993, only
24 such application may be filed on or before June 15. The state tax commission
25 shall prescribe by rule the form and information necessary for such appli-
26 cation.

27 On or before the fifteenth day of November each year, the tax collec-
28 tor of each county shall transmit to the state tax commission, duplicate tax
29 statements of each utility, showing the property taxes payable by such util-
30 ity in his county. The state tax commission shall as soon as practicable
31 thereafter, certify to each utility, the aggregate saving in property taxes
32 effected in the several counties to each utility by reason of this exemption.
33 On or before the fifteenth day of December of each year, each utility shall
34 file with the state tax commission of Idaho, a statement showing the revenues
35 which were or are to be collected from each irrigation or drainage pumping
36 consumer, and the ratio between the aggregate savings in property taxes cer-
37 tified to it by the state tax commission and the aggregate revenues which
38 were or are to be collected from these consumers. The utility shall deter-
39 mine the credit to which each consumer is entitled by virtue of this exemp-
40 tion and shall certify to the state tax commission that it has refunded or
41 credited against the consumer's bills, the amounts due each consumer. This
42 refund or credit shall equal each consumer's bill for the year multiplied by
43 the ratio calculated pursuant to the provisions of this paragraph. The pub-
44 lic utilities commission shall have jurisdiction under the public utilities
45 law to insure utility compliance with the provisions of this statute.

46 SECTION 6. That Section 63-3502B, Idaho Code, be, and the same is hereby
47 amended to read as follows:

48 63-3502B. LEVY OF TAX ON WIND ENERGY PRODUCTION, SOLAR ENERGY
49 OR PRODUCTION, GEOTHERMAL ENERGY ELECTRICAL PRODUCTION, AND RATE-REGULATED

1 ELECTRIC UTILITY COMPANIES. (1) A wind energy tax or a geothermal energy tax
 2 shall be levied against every producer of electricity by means of wind energy
 3 or geothermal energy in the amount of three percent (3%) of such producer's
 4 gross wind energy earnings or geothermal energy earnings.

5 (2) A solar energy tax shall be levied against every producer of elec-
 6 tricity by means of solar energy in the amount of three and one-half percent
 7 (3.5%) of the producer's gross solar energy earnings.

8 (3) A kilowatt-hour tax shall be levied against every rate-regulated
 9 electric utility company operating in Idaho on all such electricity and
 10 electrical energy sold to retail customers in Idaho. The kilowatt-hour tax
 11 shall be one hundred thirteen hundred-thousandths of a dollar (\$0.00113) per
 12 kilowatt-hour sold.

13 ~~(3) (4) This~~ The wind energy tax, solar energy tax, or geothermal en-
 14 ergy tax, and kilowatt-hour tax provided in this section shall be in lieu of
 15 all other taxes on the property of such wind energy producer, of such solar
 16 energy producer, or of such geothermal energy producer, or rate-regulated
 17 electric utility company exempted pursuant to section 63-602JJ, Idaho Code.

18 ~~(4) (5)~~ For purposes of the certification required by section 63-803,
 19 Idaho Code, and the limitations provided by section 63-802, Idaho Code,
 20 the taxes levied pursuant to subsection (2) of this section shall reduce
 21 the property tax to be levied to finance an annual budget, and shall not be
 22 included in the amount of property tax revenues to finance an annual budget
 23 for purposes of limitations on increases in the annual budget as provided in
 24 section 63-802, Idaho Code. Kilowatt-hour taxes apportioned to each taxing
 25 district pursuant to section 63-405(3), Idaho Code, shall be treated as
 26 property tax revenue for the purposes of the limitations provided in section
 27 63-802, Idaho Code.

28 (6) No later than January 31, 2025, every rate-regulated electric util-
 29 ity shall include the kilowatt-hour tax assessment on the billings to its
 30 Idaho customers, as described in subsection (3) of this section. The amount
 31 to be included on the customer bill may not exceed the total determined by
 32 multiplying the kilowatt-hours billed by the utility's tax rate in subsec-
 33 tion (3) of this section. The public utilities commission shall adjust the
 34 base tariff rates for customers to the extent those rates included a recovery
 35 of property taxes on operating property or the kilowatt-hour taxes assessed
 36 pursuant to this section.

37 SECTION 7. That Chapter 35, Title 63, Idaho Code, be, and the same is
 38 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 39 ignated as Section 63-3502C, Idaho Code, and to read as follows:

40 63-3502C. EXEMPTION OF KILOWATT-HOUR TAX FOR ELECTRICITY USED IN IR-
 41 RIGATION.

42 (1) (a) The kilowatt-hour tax payable by rate-regulated electric util-
 43 ities shall be reduced and shall be exempt from taxation to the extent
 44 of kilowatt-hours used for furnishing power for pumping water for irri-
 45 gation or drainage purposes on lands in the state of Idaho. The calcu-
 46 lation of the reduction shall be based on rules promulgated by the Idaho
 47 state tax commission.

48 (b) The exemption provided for in this section shall accrue to the
 49 benefit of the consumer of such power, except in cases where the water

1 so pumped is sold or rented to irrigate lands, in which event the kilo-
2 watt-hour taxes associated with generating or delivering power, shall
3 be subject to taxation to the extent that such water is sold or rented.

4 (c) If the consumer is not a customer of the deliverer of electrical
5 power, the kilowatt-hour taxes that would have been due from such util-
6 ity related to the exemption, if such exemption had not been applied,
7 shall be paid annually for each year in which the exemption is applied,
8 directly to the consumer by the utility delivering such electricity for
9 irrigation purposes. To qualify for credit or direct payment, the per-
10 son or organization at the point of delivery must also be the person or
11 organization pumping water for irrigation purposes and not a distribu-
12 tor or redistributor of electrical power.

13 (d) The procedures described in subsections (2) and (3) of this section
14 shall be used in determining the benefit to which each consumer is enti-
15 tled by virtue of this exemption.

16 (2) To receive the benefit of the exemption under this section, each
17 consumer who is not a customer of the deliverer of electrical power must file
18 an application with the state tax commission on or before April 30 each year.
19 The state tax commission shall prescribe by rule the form and information
20 necessary for such application.

21 (3) On or before November 15 each year, the tax collector of each county
22 shall transmit to the state tax commission duplicate tax statements of
23 each utility, showing the kilowatt-hour taxes payable by each utility in
24 such county. The state tax commission shall as soon as practicable there-
25 after certify to each utility the aggregate savings in kilowatt-hour taxes
26 effected in the several counties to each utility by reason of this exemp-
27 tion. On or before December 15 of each year, each utility shall file with
28 the state tax commission a statement showing the revenues that were or are
29 to be collected from each irrigation or drainage pumping consumer and the
30 ratio between the aggregate savings in kilowatt-hour taxes certified to it
31 by the state tax commission and the aggregate revenues that were or are to
32 be collected from such consumers. The utility shall determine the credit
33 to which each consumer is entitled by virtue of this exemption and shall
34 certify to the state tax commission that it has refunded or credited against
35 the consumer's bills the amounts due each consumer. This refund or credit
36 shall equal each consumer's bill for the year multiplied by the ratio calcu-
37 lated pursuant to the provisions of this subsection. The public utilities
38 commission shall have jurisdiction under the public utilities law to ensure
39 utility compliance with the provisions of this statute.

40 SECTION 8. That Chapter 35, Title 63, Idaho Code, be, and the same is
41 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
42 ignated as Section 63-3503C, Idaho Code, and to read as follows:

43 63-3503C. FILING OPERATOR'S STATEMENT -- CALCULATION, COLLECTION,
44 ALLOTMENT, AND APPORTIONMENT OF TAX FROM RATE-REGULATED ELECTRIC UTILITY
45 COMPANIES BY STATE TAX COMMISSION. (1) Every rate-regulated electric util-
46 ity company in the state of Idaho shall file with the state tax commission
47 an operator's statement pursuant to section 63-404, Idaho Code, and shall
48 include on such statement the number of kilowatt-hours sold in Idaho for the
49 preceding calendar year. The state tax commission shall examine and verify

1 such statement and compute the amount of taxes due by multiplying the number
2 of kilowatt-hours sold by the rate pursuant to section 63-3502B(3), Idaho
3 Code, reduced as provided in section 63-3502C, Idaho Code.

4 (2) Upon the calculation of taxes determined in this section, and no
5 later than the third Monday of May, the state tax commission shall notify
6 each county treasurer of the amount of taxes due to the county. Each county
7 treasurer shall notify each rate-regulated electric utility company of the
8 amount of taxes owed by June 15, and such tax shall be due and payable to each
9 county treasurer no later than June 30. The county treasurer shall notify
10 the county auditor of the amount so received no later than the second Monday
11 of July.

12 (3) By no later than the fourth Monday of July each year, each county
13 auditor shall multiply the amount of tax received by the county as of June 30
14 by the proportions calculated pursuant to section 63-405(3), Idaho Code, and
15 shall notify each taxing district and unit and urban renewal agency of the
16 amount they will receive. By the fourth Monday of August, such amounts shall
17 be paid by the county auditor to each eligible taxing district and unit and
18 urban renewal agency.

19 (4) A new taxing district formed after January 1, 2024, shall not
20 be eligible for any kilowatt-hour taxes provided pursuant to section
21 63-3502B(3), Idaho Code.

22 (5) A new revenue allocation area formed after January 1, 2024, shall
23 not receive a tax distribution pursuant to this section.

24 (6) Any taxes levied pursuant to this section and not paid by June 30
25 shall become delinquent and a penalty of five percent (5%) thereof shall be
26 imposed, together with interest at the rate of one percent (1%) per month
27 from June 30 until paid.

28 (7) All taxes due and payable under this section shall be a lien on all
29 property, real and personal, of the rate-regulated electric utility com-
30 pany as of June 30 of each year and shall be discharged only by the payment
31 thereof. In any action to enforce payment of any delinquent taxes due under
32 this section, the county pursuing such action shall be entitled to a judg-
33 ment for the reasonable costs of prosecuting such action, as well as for the
34 delinquent taxes, penalty, and interest.

35 (8) If a rate-regulated electric utility company fails to file the
36 statement of kilowatt-hours sold in Idaho required pursuant to subsection
37 (1) of this section, the state tax commission shall use the best available
38 information to determine the kilowatt-hours sold in Idaho.

39 SECTION 9. That Section 63-3506, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 63-3506. ASSESSMENT OF PROPERTY BY ASSESSOR. Any property not subject
42 to the gross receipts tax levied in this chapter of any cooperative elec-
43 trical or natural gas association, or producer of electricity by means of
44 wind energy, by means of solar energy, or by means of geothermal energy, and
45 any property not subject to the kilowatt-hour tax levied in this chapter on
46 any rate-regulated electric utility company shall be assessed by the county
47 assessor of the county wherein such property is situate, and taxes levied
48 against the same shall be a lien, and shall be due and payable, in the same
49 manner as are any other taxes on property.

1 SECTION 10. This act shall be in full force and effect on and after Jan-
2 uary 1, 2025.