

IN THE SENATE

SENATE BILL NO. 1082

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ASSESSMENT LIENS; AMENDING SECTION 43-706, IDAHO CODE, TO REVISE PROVISIONS REGARDING ASSESSMENT LIENS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 43-706, Idaho Code, be, and the same is hereby amended to read as follows:

43-706. LIEN OF ASSESSMENT. (1) All assessments shall be liens against the property assessed from and after the first Monday in March of any year, ~~the lien for the bonds of any series shall be a preferred lien to that of any subsequent series, except as in this title otherwise provided, and such lien shall not be removed until the assessments are paid or the property sold for the payment thereof.~~

(2) Assessment liens shall be a first lien on the property assessed and shall be superior to the lien of any mortgage or deed of trust, whether prior in time or not.

(3) The lien for the bonds of any series shall be a preferred lien to that of any subsequent series, except as otherwise provided in this title.

(4) The lien shall not be removed until the assessments are paid, the property is sold for the payment thereof, or the assessments are canceled pursuant to section 43-716 or 43-1508, Idaho Code. Any mortgage or other lien on such assessed property shall, in all cases, be subject to the assessment lien provided in this section. Upon any sale of the property, the purchaser at such sale shall take the property subject to any annual assessment of the district that remains unpaid at the time of the sale.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.