

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 926

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING SECTION 50-3101,
2 IDAHO CODE, TO REVISE A PROVISION REGARDING THE FORMATION OF A COMMUNITY
3 INFRASTRUCTURE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLAR-
4 ING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

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

7 SECTION 1. That Section 50-3101, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 50-3101. PURPOSE, RELATIONSHIP WITH OTHER LAWS AND SHORT TITLE. (1)
10 The purpose of this chapter is:

11 (a) To encourage the funding and construction of regional community in-
12 frastructure in advance of actual developmental growth that creates the
13 need for such additional infrastructure;

14 (b) To provide a means for the advance payment of development impact
15 fees established in chapter 82, title 67, Idaho Code, and the community
16 infrastructure that may be financed thereby; and

17 (c) To create additional financial tools and financing mechanisms that
18 allow new growth to more expediently pay for itself.

19 (2) Only community infrastructure to be publicly owned by this state or
20 a political subdivision thereof may be financed pursuant to this chapter.

21 (3) A community infrastructure district may ~~only~~ be formed pursuant to
22 this chapter only by a city in the city's incorporated area, ~~or~~ by a county
23 in an area contained within a city's comprehensive plan with the city's con-
24 sent, or by a county when the district is outside of a city's comprehensive
25 plan.

26 (4) A community infrastructure district may be formed only after (i)
27 prior review and approval by the governing body of each county or city in
28 which the district is proposed to be located of a petition requesting the
29 formation of the district, and (ii) the necessary approvals for site de-
30 velopment under the local land use planning act, sections 67-6501 et seq.,
31 Idaho Code, and the planning and zoning ordinances of each county and city
32 in which the district is proposed to be located have been obtained; provided
33 however, that where there will be phased development, approvals obtained
34 for the first phase of site development shall be sufficient for the initial
35 creation and organization of the district. The formation of a district
36 pursuant to this chapter shall not prevent the exercise by a county, city
37 or other political subdivision of any of its powers on the same basis as on
38 all other land within its jurisdiction. Notwithstanding the formation of a
39 district, the development of real property located within the district shall
40 remain subject to the provisions of chapter 65, title 67, Idaho Code, and
41 the applicable planning and zoning ordinances of the counties and cities in
42 which the district is located. The formation of a district pursuant to this

1 chapter shall not prevent the subsequent establishment of other districts or
2 the improvement or assessment of land within the district by a county, city
3 or other political subdivision.

4 (5) This chapter shall be known and may be cited as the "Community In-
5 frastructure District Act."

6 SECTION 2. An emergency existing therefor, which emergency is hereby
7 declared to exist, this act shall be in full force and effect on and after
8 July 1, 2026.