

BOARD OF ADA COUNTY COMMISSIONERS
APPLICATION REQUIREMENTS FOR THOSE SEEKING A PROPERTY TAX
EXEMPTION FOR CERTAIN BUSINESS PROPERTY PURSUANT TO IDAHO
CODE § 63-602NN

Application Requirements

A. An applicant seeking an exemption for all or a portion of certain business property pursuant to Idaho Code § 63-602NN must submit to the Board of Ada County Commissioners the following information:

1. A short cover letter asking that the exemption be granted for a Defined Project pursuant to Idaho Code § 63-602NN, describing the years for which the application is being submitted, and for what portions of the facility the exemption is sought.

2. Concurrently with the cover letter a written plan must be submitted describing these six matters:

a. A description of the manufacturing facility to be constructed and associated personal property to be installed, a schedule of construction, and an analysis outlining how the applicant proposes to comply with the "new plant and building facilities" test;

b. A description of the items of tangible personal property or intellectual property that will be manufactured in the facility;

c. An analysis on how the facility will meet the test of "investment in new plant", *i.e.* will the investment be a qualified investment, an investment in buildings or structural components of buildings, or a combination of the two;

d. A description of how the applicant proposes to meet the "tax incentive criteria" including actual capital investment exceeding three million dollars and an analysis of projected (or actual) significant benefits from the new facility provided to the community;

e. A statement of the first tax year for which the applicant requests an exemption and a description of how the project period test will commence (or how it has already commenced); and

f. A description of the project site.

B. The applicant must also agree in writing to sign the Ada County Business Property Tax Incentive Exemption Contract.

II

General Information

The exemption cannot be prorated for portions of a year.

The Board of Ada County Commissioners cannot grant the exemption retroactively.

Should the Board of Ada County Commissioners, in the exercise of its discretion, determine that the tax incentive criteria have been met and grant the exemption for all or a portion of the facility, it may do so for a maximum of five years from the date the "Project Period" begins to run or the remaining number of years of the "Project Period" if an application is received after the "Project Period" has commenced.

In order for an applicant to receive an exemption for the year in which the application is received, the application must be received by the Board of Ada County Commissioners no later than 5:00 p.m. of the forth Monday in June of that year. Applicants are, however, encouraged to submit an application for this exemption no later than December of the year preceding the year for which they might first qualify. Early application allows an applicant to provide any additional information that may be missing within the time limits granted the Board of Ada County Commissioners for decision making.

The legislature has authorized the Board of Ada County Commissioners to enter into an agreement with a successful applicant regarding continuing benefit requirements during the Project Period. Accordingly, applicants need only apply for this exemption the first year and do not have to file an annual application as would be required for other exemptions. Applicants may be required to provide regular updates to the Board of Ada County Commissioners regarding compliance with the contract.