# 2027 IAC Legislative Resolution

*Idaho Association of Counties*

## Resolution Information

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| **Resolution Type:** | Legislative Resolution | **Submission Date:** | August 31, 2026 |
| **Sponsoring County:** | Shoshone County | **Dept./Office:** | County Assessor |
| **Contact Name:** | | **Phone/Email:** | |

## Title of Resolution

**A Resolution to Amend Idaho Code Title 63, Chapter 17 to Require Professionally Reviewed Forest Management Plans for Current Use Classification and to Establish a Minimum Acreage Threshold for Category 7 Bare Land and Yield Designation**

## Statement of Issue

Idaho's current use forest land taxation program under Idaho Code §§ 63-1701 through 63-1706 provides reduced property tax assessments for forest lands enrolled in either the Category 6 Productivity classification or the Category 7 Bare Land and Yield classification. As currently structured, the program lacks two important safeguards that would improve its integrity, ensure genuine forest stewardship, and protect county tax bases from abuse.

First, there is no requirement that landowners demonstrate an active, professionally reviewed commitment to forest management as a condition of enrollment. Second, the Category 7 Bare Land and Yield designation—which provides the most favorable tax treatment—is available without regard to the scale of ownership, allowing small parcels with limited timber production potential to receive benefits intended for working commercial forest operations.

## Proposed Solution

This resolution proposes two complementary amendments to Idaho Code Title 63, Chapter 17:

**Proposal 1: Professional Forester Review Requirement (Categories 6 and 7)**

<u>For new applications to receive</u> a Category 6 (Productivity) or Category 7 (Bare Land and Yield) current use designation, a landowner must submit a forest management plan using a standardized format provided by the county assessor. The landowner or a forestry professional may prepare the plan, but it must be reviewed and approved by a "professional forester."

<u>Scope and Exemptions. This written plan requirement is prospective only and applies solely to new applications for Category 6 or Category 7 current use designation filed on or after the effective date of this legislation. Landowners already enrolled in a forest land current use designation as of the effective date are exempt from the written plan requirement with respect to that enrollment and shall not be required to submit a plan to retain their existing designation. In addition, the written plan requirement shall not apply to landowners whose total Idaho forest land ownership exceeds five thousand (5,000) acres (the "large landowner class"), in recognition of the fact that such landowners are typically subject to independent, sophisticated forest management practices and reporting obligations that already ensure active silvicultural management.</u>

For purposes of this requirement, “professional forester” means an individual who derives livelihood from forestry and who develops or implements silvicultural plans to enhance forest growth and timber production. This definition encompasses, without limitation:

1. Degreed foresters (holding a bachelor’s degree or higher in forestry or a closely related field from an accredited institution);
2. Idaho Department of Lands (IDL) private forestry specialists;
3. Tree Farm program inspectors certified by the American Tree Farm System; and
4. Other forestry professionals whose primary occupation involves the management, assessment, or stewardship of commercial forest land.

Note: Because Idaho does not maintain a state licensing program for foresters, this definition is intended to be self-contained and operationally consistent with standards already applied informally by county assessors in Kootenai and Bonner Counties. The standardized plan format shall be developed through the Idaho State Tax Commission in coordination with county assessors and shall be implemented through amendment to IDAPA 35.01.03.

<u>**Confidentiality of Submitted Plans.** Forest management plans submitted under this requirement shall be exempt from public disclosure under the Idaho Public Records Act, Idaho Code § 74-101 et seq., and shall be held confidential by the county assessor and the Idaho State Tax Commission, in the same manner as other confidential taxpayer records under Idaho Code §§ 63-3076 & 3077. County assessors may use the contents of a plan solely to verify compliance with current use eligibility criteria and may not disclose plan contents to any third party except as required by law or with the written consent of the landowner. This resolution explicitly directs that statutory confidentiality protection for submitted plans be included as a substantive component of the proposed legislation, in recognition that landowner support for this proposal depends on assurance that sensitive forest management and harvest information will not be made public.</u>

**Proposal 2: Minimum Acreage Threshold for Category 7 Designation**

Category 7 Bare Land and Yield designation shall be limited to landowners whose aggregate Idaho forest land ownership equals or exceeds forty (40) acres in total statewide. For the purpose of this threshold:

1. Acreage shall be aggregated across all parcels owned by the same landowner within the State of Idaho, regardless of county.
2. Example: A landowner holding a 12-acre parcel in Shoshone County and an 80-acre parcel in Benewah County holds 92 aggregate acres and both parcels are eligible for Category 7 designation.
3. Landowners whose aggregate Idaho forest ownership is fewer than 40 acres remain eligible for the Category 6 Productivity classification.

Transition and Deferred Tax Relief: For landowners currently enrolled in Category 7 who would be required to transition to Category 6 as a result of this amendment, any deferred tax obligation accrued under the Category 7 designation prior to the effective date of this legislation shall be forgiven.

## Criteria Analysis

This resolution meets all five IAC resolution criteria:

**1. Single Issue:** Both proposals address the integrity and proper administration of Idaho’s forest land current use taxation program under Title 63, Chapter 17.

**2. Affects More Than One County:** Idaho’s forest land taxation statutes apply statewide. The proposed amendments would affect all counties administering forest land current use classifications, particularly those in northern and central Idaho with significant timber acreage.

**3. Affects More Than One Elected Office or Department:** Implementation requires coordination among county assessors (administration and standardized plan review), county commissioners (policy oversight and potential appeals), the Idaho State Tax Commission (IDAPA rulemaking), and the Idaho Department of Lands (professional forester registry and specialist qualifications).

**4. Affects Taxation:** Both proposals directly affect property tax assessment methodology, current use eligibility, and the protection of county tax base revenues derived from forest land taxation.

**5. Politically Feasible:** The proposals align with Idaho's existing policy commitment to working forests and responsible stewardship. The professional forester requirement mirrors practices already implemented in Kootenai and Bonner Counties, providing a tested precedent. The 40-acre threshold is consistent with thresholds used in comparable state forest taxation programs and preserves access to Category 6 for small landowners. Feasibility is further supported by the proposal's prospective-only application, its exemption of the large landowner Category (greater than 5,000 acres) from the written plan requirement, and the inclusion of explicit statutory confidentiality protection for submitted plans, each of which is intended to reduce landowner opposition.

## Estimated Fiscal Impact

Statewide fiscal impact will vary by county depending on current enrollment levels in Category 7 and the prevalence of small forest parcels. Counties with significant numbers of sub-40-acre Category 7 parcels may experience modest increases in taxable forest land valuations as affected parcels transition to Category 6. The professional forester review requirement is expected to reduce erroneous or unmanaged current use enrollments, further protecting the county tax base. One-time deferred tax forgiveness for transitioning Category 7 landowners will have a limited fiscal impact, as deferred taxes on small parcels are typically modest. The Idaho State Tax Commission will require administrative resources to develop standardized plan formats and amend IDAPA 35.01.03.

## Relevant Statutory Sections

The following Idaho Code sections would require amendment:

1. Idaho Code § 63-1701 – Definitions (add definition of "professional forester")
2. Idaho Code § 63-1703 – Category 6 Productivity Classification (add forest management plan requirement)
3. Idaho Code § 63-1705 – Category 7 Bare Land and Yield Classification (add 40-acre minimum and professional forester plan requirement; add deferred tax forgiveness transition provision)
4. Idaho Code § 63-1706 – Application Procedures (add standardized plan submission requirement)

Corresponding amendments to IDAPA 35.01.03 (Idaho State Tax Commission Rules) will be necessary to implement the standardized forest management plan format and the aggregated acreage calculation procedure.

## Resolution

NOW, THEREFORE, BE IT RESOLVED by the Idaho Association of Counties that:

SECTION 1. IAC supports amendment of Idaho Code §§ 63-1701, 63-1703, 63-1705, and 63-1706 to require, as a condition of a new application for Category 6 or Category 7 forest land current use designation, submission of a forest management plan in a standardized county assessor-approved format, reviewed and approved by a professional forester as defined herein; provided that this requirement shall not apply to landowners already enrolled in a forest land current use designation as of the effective date with respect to that enrollment, nor to landowners whose total Idaho forest land ownership exceeds five thousand (5,000) acres.

SECTION 2. IAC supports amendment of Idaho Code to provide that forest management plans submitted under Section 1 of this resolution shall be exempt from public disclosure under the Idaho Public Records Act and shall be treated as confidential taxpayer records, accessible to the county assessor and the Idaho State Tax Commission solely for purposes of verifying current use eligibility.

SECTION 3. IAC supports amendment of Idaho Code § 63-1705 to limit Category 7 Bare Land and Yield designation to landowners whose aggregate Idaho forest land ownership equals or exceeds forty (40) acres statewide, with acreage to be calculated by aggregating all Idaho forest parcels held by the same owner.

SECTION 4. IAC supports a transition provision forgiving accrued deferred tax obligations for landowners who, solely as a result of these amendments, are required to transition from Category 7 to Category 6 designation.

SECTION 5. IAC supports corresponding amendments to IDAPA 35.01.03 to implement a standardized forest management plan format and aggregated acreage calculation methodology in coordination with county assessors and the Idaho Department of Lands.

## Sponsor Certification

The undersigned, on behalf of the sponsoring county, certifies that this resolution meets all applicable IAC resolution criteria, that the sponsor or their designee will present this resolution to the assigned IAC steering committee at the IAC Annual Conference (September 21–23, 2026), and that this resolution was submitted electronically to the IAC office on or before August 31, 2026.

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| *Authorized Signature* | *Printed Name and Title* |
| *County / Organization* | *Date* |