

7 tection of purchasers of said debentures or bonds, provided said se-
 8 curities shall be at least equal in amount to the par value of such
 9 debentures or bonds, and be first liens upon unincumbered real estate
 10 worth at least twice the amount loaned thereon."

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in force from and after its publi-
 3 cation in the Osceola Sentinel, a newspaper published at Osceola,
 4 Iowa, and the Indianola Record, a newspaper published at Indianola,
 5 Iowa.

Senate File No. 106. Approved March 28, 1931.

I hereby certify that the foregoing act was published in the Osceola Sentinel April 2,
 1931, and the Indianola Record April 2, 1931.

G. C. GREENWALT, *Secretary of State.*

CHAPTER 206

STATE BOARD OF ASSESSMENT AND REVIEW

AN ACT to amend the law as it appears in paragraphs one (1), six (6) and nine (9),
 of section seventeen (17), chapter two hundred five (205), of the acts of the forty-
 third general assembly, relating to and defining the powers and duties of the state
 board of assessment and review.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That paragraph one (1), section seventeen (17), of
 2 chapter two hundred five (205), of the acts of the forty-third general
 3 assembly, be and the same is hereby amended by striking all of said
 4 paragraph and substituting in lieu thereof the following:
 5 "To have and exercise general supervision of the administration of
 6 the assessment and tax laws of this state, of boards of supervisors
 7 and all other officers or boards of assessment and review in the
 8 performance of their official duties, in all matters relating to assess-
 9 ment and taxation, and to have the power to order a re-assessment
 10 of any or all of the property in any taxing district when in its judg-
 11 ment it is necessary, and in the event the valuation of the assessed
 12 property is increased to assess the costs thereof in the case of an
 13 individual taxpayer to said taxpayer, and in the case of a taxing
 14 district or unit to the unit assessed, to the end that all assessments
 15 of property and taxes levied thereon be made relatively just and
 16 uniform in substantial compliance with the law. Where the costs
 17 are taxed to the taxpayer they shall be added to the taxes assessed
 18 against said taxpayer and shall be collected in the same manner as
 19 are other taxes, and where the costs are assessed against a particular
 20 taxing district or unit they shall be paid by said taxing district or
 21 unit."

1 SEC. 2. That paragraph six (6), section seventeen (17), of chap-
 2 ter two hundred five (205), of the acts of the forty-third general
 3 assembly, be and the same is hereby amended by striking all of said
 4 paragraph and substituting in lieu thereof the following:
 5 "To hold public hearings, either at the seat of government or else-
 6 where in the state; to require by subpoena the attendance and testi-

7 many of witnesses; to sign subpoenas, administer oaths and affirma-
 8 tions; to examine witnesses and receive evidence; to compel witnesses
 9 to produce for examination records, books, papers and documents re-
 10 lating to any matter which the board shall have the authority to in-
 11 vestigate or determine; to examine the books and records of any per-
 12 son, firm, association or corporation within the county whenever it
 13 has reason to believe that such person, firm, association or corpora-
 14 tion has not listed its property as provided by law.

15 "In all hearings where the decision of the board is against the
 16 taxpayer the board shall tax the costs against the taxpayer, other-
 17 wise they shall be taxed to the state. The fees and mileage to be
 18 paid and taxed as costs shall be the same as prescribed by law in pro-
 19 ceedings in the district court of this state in civil cases. Where the
 20 costs are taxed to the taxpayer they shall be added to the taxes as-
 21 sessed against said taxpayer and shall be collected in the same man-
 22 ner as are other taxes.

23 "In case of disobedience to a subpoena the board may invoke the aid
 24 of any court of competent jurisdiction in requiring the attendance
 25 and testimony of witnesses and the production of records, books,
 26 papers and documents, and such court may issue an order requiring
 27 the persons to appear before the board and give evidence or to pro-
 28 duce records, books, papers or documents, as the case may be, and
 29 any failure to obey such order of the court may be punished by the
 30 court as a contempt thereof.

31 "Testimony or hearings before the board may be taken by a depo-
 32 sition as in civil cases and any person may be compelled to appear
 33 and depose in the same manner as witnesses may be compelled to
 34 appear and testify as hereinbefore provided."

1 SEC. 3. That paragraph nine (9), section seventeen (17) of chap-
 2 ter two hundred five (205), of the acts of the forty-third general
 3 assembly, be and the same is hereby amended by adding after the
 4 comma (,) and before the word "to" in line seventy-eight (78) of
 5 said section, the following:

6 "to raise or lower the valuation of any piece of property in any
 7 taxing district when in their judgment it is necessary,"
 8 and by striking the period after the word "law" in line seventy-nine
 9 (79) of said section and inserting a comma (,) and adding thereto
 10 the following:

11 "provided, however, before raising the valuation of any property
 12 anywhere in any taxing district, the board must give ten days notice
 13 of its intention to so raise the valuation and in the case of a taxing
 14 district or unit the notice shall be served upon the county board of
 15 supervisors by serving the notice upon the county auditor, and in the
 16 case of a taxpayer the notice shall be served upon the taxpayer".

17 That paragraph nine (9) of section seventeen (17) of chapter two
 18 hundred five (205), acts of the forty-third general assembly be and
 19 the same is hereby amended by striking out of line sixty-six (66) the
 20 words "county board of equalization" and substituting in lieu thereof
 21 the words, "board of review"; also by striking out of line sixty-nine
 22 (69) thereof the words "the county board of equalization", and in-
 23 serting in lieu thereof, "any board of review".

24 Amend section seventeen (17) of chapter two hundred five (205)

25 acts of the forty-third general assembly by inserting after paragraph
26 nine (9) the following as paragraph nine-a (9a):

27 "(9a). To correct errors, irregularities, or omissions in assess-
28 ments of individual taxpayers by adding to the tax list any omitted
29 property or by raising, lowering, or abating an assessment found to
30 be erroneous or excessive; provided, however, that before making any
31 increase in any assessment or assessment of any property as omitted
32 property the board shall notify the owner of record or person assessed
33 with such property by registered mail addressed to such person at his
34 last known place of residence notifying him to appear before said
35 board within ten (10) days from the mailing of said notice and show
36 cause why such increase or addition should not be made; provided,
37 however, that any party aggrieved by the action of the state board
38 may within twenty (20) days after such action has been taken appeal
39 from the action of the state board to the district court of the county
40 where the property is situated by serving on the chairman of the
41 state board a written notice of appeal in the same manner as pro-
42 vided for the service of original notices. The state board shall notify
43 the county auditor or county treasurer of any such correction or
44 change and the county auditor or county treasurer shall amend the
45 assessment roll and/or tax list to conform to the order of the board;
46 but no correction or change of assessment shall be made by the state
47 board after the expiration of five (5) years from the date when such
48 assessment was made or should have been made."

1 SEC. 4. That section seventeen (17) of chapter two hundred five
2 (205), acts of the forty-third general assembly be and the same is
3 hereby amended by adding thereto the following:

4 "16. To certify to the auditor of state on January first of each
5 year the aggregate of each state tax for each county for said year."

1 SEC. 5. That section thirty-four (34), chapter two hundred five
2 (205), acts of the forty-third general assembly, be and the same is
3 hereby amended by inserting in line fourteen (14) after the word
4 "act", the following words, to-wit:

5 "except as provided in paragraph three (3) of section one hundred
6 two (102), code, 1927".

1 SEC. 6. That section twenty-eight (28) chapter two hundred five
2 (205) acts of the forty-third general assembly be and the same is
3 hereby repealed.

1 SEC. 7. Chapter two hundred five (205) acts of the forty-third
2 general assembly as herein amended is hereby made applicable to
3 cities acting under special charter.

1 SEC. 8. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Walker News, a newspaper published at Walker, Iowa, and the
4 Freeman-Journal, a newspaper published at Webster City, Iowa.

House File No. 4. Approved March 20, 1931.

I hereby certify that the foregoing act was published in the Walker News March 26,
1931, and the Webster City Freeman Journal March 24, 1931.

G. C. GREENWALT, *Secretary of State.*