

## CHAPTER 191

## HOMESTEAD TAX CREDIT—APPEAL NOTICE

H. F. 9

AN ACT to amend section six thousand nine hundred forty-three and one hundred forty-eight thousandths (6943.148), code, 1939, as amended by chapter 209, Acts of the 50th General Assembly, and providing for notice of appeal to the state tax commission.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two (2) of Chapter 209, Acts of the 50th Gen-  
2 eral Assembly, is hereby amended by inserting after the word "sec-  
3 tion" in line fifteen (15) the following sentence: "Where such  
4 appeal is taken by the claimant or by the board of supervisors, the  
5 appellant shall within ten (10) days after the filing of such appeal,  
6 notify the chairman of the state tax commission by registered mail,  
7 with receipt requested, of the filing of said appeal."

Approved February 16, 1945.

## CHAPTER 192

## AGRICULTURAL LAND TAX CREDIT

H. F. 127

AN ACT creating in the office of the treasurer of state a permanent fund to be known as the agricultural land credit fund, and making appropriation thereto, providing for the apportionment of said fund as a credit against the tax on agricultural lands in school districts in which the millage for the general school fund exceeds fifteen mills, and providing the procedure for effecting said credits.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. There is hereby created as a permanent fund in the  
2 office of the treasurer of state a fund to be known as the agricultural  
3 land credit fund, and for the purpose of establishing and maintaining  
4 said fund for each fiscal year beginning July 1, 1946 there is appro-  
5 priated thereto from funds in the general fund not otherwise appro-  
6 priated the sum of \$500,000.00. Any balance in said fund on June 30  
7 shall revert to the general fund.

1 SEC. 2. "Agricultural lands" as used in this act shall mean and  
2 include all tracts of land of ten (10) acres or more, and not laid off  
3 into lots of less than ten acres or divided by streets and alleys into  
4 parcels of less than ten acres, lying within any school corporation in  
5 this state and in good faith used for agricultural or horticultural  
6 purposes.

1 SEC. 3. The agricultural land credit fund shall be apportioned each  
2 year in the manner hereinafter provided so as to give a credit against  
3 the tax on each tract of agricultural lands within the several school  
4 districts of the state in which the millage for the general school fund  
5 exceeds fifteen (15) mills; the amount of such credit on each tract of  
6 such lands shall be the amount the tax levied for the general school fund

7 exceeds the amount of tax which would be levied on said tract of such  
8 lands were the levy for the general school fund fifteen (15) mills,  
9 except in the case of a deficiency in the agricultural land credits fund  
10 to pay said credits in full, in which case the credit on each eligible tract  
11 of such lands in the state shall be proportionate and shall be applied  
12 as hereinafter provided. The agricultural land credit as provided  
13 herein shall not be made to any tax payer on any portion of his prop-  
14 erty upon which a homestead credit, as provided by Chapter three  
15 hundred twenty-nine and six tenths (329.6), has been allowed for  
16 the year in which the agricultural credit is claimed.

1 SEC. 4. Commencing with the year 1946 and each year thereafter  
2 any owner of a tract or tracts of agricultural lands who desires to  
3 obtain for said lands the credit against the tax on said lands as pro-  
4 vided for in this act, shall deliver to the assessor, on blanks furnished  
5 by the county auditor, a verified statement and designation of such  
6 agricultural lands, and the assessor shall return said statement and  
7 designation containing an endorsement of his recommendation for  
8 allowance or disallowance to the county auditor along with the assess-  
9 ment roll; if the said statement and designation is not delivered to  
10 the assessor, the owner may on or before June 1 of that year file with  
11 the county auditor such statement and designation together with the  
12 supporting affidavits of at least two disinterested freeholders of the  
13 taxing district in which the agricultural lands are located. The fail-  
14 ure to file a statement and designation on or before June 1, shall pre-  
15 clude the allowance of any credit against the tax on said lands for  
16 that year.

1 SEC. 5. The board of supervisors in each county shall forthwith  
2 examine all such statements and designations and shall not later than  
3 July 1 either allow or disallow same. In the event of disallowance  
4 the county auditor shall immediately mail to the owner at the address  
5 shown on the statement and designation, notice of such disallowance,  
6 in which case the owner may within twenty (20) days from the date  
7 of making such notice appeal the disallowance by the board of super-  
8 visors to the district court of that county by serving written notice of  
9 appeal on the county auditor. The appeal shall be tried de novo and  
10 may be heard in term time or vacation and trial thereof shall take  
11 precedence over all other business of the court. The decision of the  
12 district court thereon shall be final.

1 SEC. 6. On or before October 15 the county auditor shall list by  
2 school districts all tracts of agricultural lands on which there has  
3 been made an allowance for credit hereunder together with the tax-  
4 able value, and immediately upon receiving the certification of the  
5 budget from each school district shall determine the tax rate for the  
6 general fund of the district in the manner provided in section 7164,  
7 Code 1939; if the tax rate is in excess of fifteen mills he shall multiply  
8 the millage which is in excess of fifteen (15) mills by the total tax-  
9 able value of the allowed agricultural lands in the district and on or  
10 before November 10 certify the amount thereof to the state comp-  
11 troller.

1 SEC. 7. After receiving from the several county auditors of the  
2 state the certifications provided for in section 6 of this act, and on

3 or before December 10, the state comptroller shall draw warrants  
 4 on the agricultural land credits fund created by this act, payable to  
 5 the county treasurers of the several counties of the state in the total  
 6 amount certified by the county auditors of the respective counties and  
 7 mail said warrants to the county auditors of said counties, provided  
 8 that in the event the agricultural land credits fund is insufficient to  
 9 pay in full the total of the amounts certified to the state comptroller  
 10 on the tenth of November, he shall pro-rate the fund to the several  
 11 county treasurers and notify the several county auditors of the pro-  
 12 rata percentage at the time of mailing the warrants to them.

1 SEC. 8. Upon receiving the warrant from the state comptroller  
 2 the county auditor shall determine the amount thereof to be credited  
 3 to each tract of agricultural land, and shall enter upon the tax lists  
 4 as a credit against the tax levied on each tract of agricultural land  
 5 on which there has been made an allowance of credit, the amount of  
 6 said credit, and shall deliver the comptroller's warrant to the county  
 7 treasurer with the tax lists. The county treasurer shall credit each  
 8 school district with the total amount of the tax credits credited on lands  
 9 in the district and shall show on each tax receipt the amount of tax  
 10 credit for each tract of agricultural lands.

1 SEC. 9. If the appropriation herein is insufficient to pay the credits  
 2 in full, then in that event they shall be paid on a pro-rata basis.

1 SEC. 10. There is hereby transferred to the general fund of the  
 2 state of Iowa, for each year of the biennium beginning July 1, 1945,  
 3 and ending June 30, 1947, the sum of five hundred thousand dollars  
 4 (\$500,000.00) from the income, corporation and sales tax fund col-  
 5 lected under the provisions of chapter three hundred ninety-three and  
 6 three tenths (393.3), code, 1939.

Approved April 10, 1945.

## CHAPTER 193

### TAX EXEMPTION OF BONUS BONDS

#### H. F. 4

AN ACT to repeal subsection twenty-two (22) of section six thousand nine hundred forty-four (6944), code, 1939, relating to the exemption of soldiers' bonus bonds from state taxation.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Subsection twenty-two (22) of section six thousand  
 2 nine hundred forty-four (6944), Code, 1939, is hereby repealed.

Approved January 29, 1945.