

CHAPTER 190

RETAIL SALES TAX

H. F. 237

AN ACT to amend section four hundred twenty-two point forty-two (422.42), Code of 1946, defining "sales at retail" subject to the Iowa retail sales tax.

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

1 SECTION 1. Section four hundred twenty-two point forty-two
2 (422.42), Code 1946, is amended by adding thereto the following
3 subsections:

4 "Sales of building materials, supplies and equipment to owners,
5 contractors, subcontractors or builders, for the erection of buildings
6 or the alteration, repair or improvement of real property, are retail
7 sales in whatever quantity sold.

8 The use within this state of tangible personal property by the
9 manufacturer thereof, as building materials, supplies or equipment,
10 in the performance of construction contracts or for any other purpose
11 except for resale or processing, shall, for the purpose of this division,
12 be construed as a sale at retail thereof by the manufacturer who shall
13 be deemed to be the consumer of such tangible personal property.
14 The tax shall be computed upon the cost to him of the fabrication or
15 production thereof."

Approved April 1, 1949.

CHAPTER 191

TAXATION ON RE SALE OF PERSONAL PROPERTY

H. F. 385

AN ACT to amend section four hundred twenty-two point forty-five (422.45), Code 1946, relating to sales tax exemptions; to provide that the collection of excessive sales tax on sales of traded-in tangible personal property shall be deemed a waiver of the exemption.

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

1 SECTION 1. Amend section four hundred twenty-two point forty-
2 five (422.45), Code 1946, by adding at the end of sub-section five (5)
3 a new sentence as follows: "A retailer who collects sales tax on the
4 selling price of traded-in tangible personal property in excess of the
5 tax due from the purchaser shall be deemed to have thereby waived
6 the right to claim the exemption provided for in this subsection and
7 the tax so collected shall be due to the State of Iowa and remitted to
8 the state tax commission, as provided by this chapter, and be credited
9 to the state road tax fund."

Approved April 20, 1949.