

1 SEC. 4. NEW SECTION. The department shall certify quarterly to
 2 the treasurer of state the amount of credit that has been taken against
 3 income tax liability since the time of the last certification, for the
 4 Iowa fuel tax paid on motor fuel, special fuel and motor fuel used for
 5 the purpose of operating aircraft, and the treasurer of state shall
 6 transfer the amount of the total credit from the motor vehicle fuel tax
 7 fund, or in the case of aircraft motor fuel, from the separate fund
 8 established by section three hundred twenty-four point eighty-two
 9 (324.82) of the Code, to the general fund of the state.

1 SEC. 5. Section three hundred twenty-four point seventeen
 2 (324.17), Code 1973, is amended by adding the following new subsec-
 3 tion:

4 NEW SUBSECTION. In lieu of the refund provided in this section,
 5 a person may receive an income tax credit as provided in sections two
 6 (2), three (3) and four (4) of this Act.

1 SEC. 6. Section three hundred twenty-four point seventy-four
 2 (324.74), subsection four (4), Code 1973, is amended to read as fol-
 3 lows:

4 4. For any claimant to alter any invoice or sales ticket, whether the
 5 invoice or sales ticket is to be used to support a claim for refund or
 6 *income tax credit* or not, provided, however, if claimant's refund per-
 7 mit shall have been revoked for cause as provided in section 324.19
 8 such revocation shall be a bar to prosecution for violation of this sub-
 9 section.

1 SEC. 7. Section three hundred twenty-four point eighty-two
 2 (324.82), Code 1973, is amended to read as follows:

3 324.82 Aviation gas tax fund. The portion of the moneys collected
 4 under the provisions of this chapter received on account of aviation
 5 gasoline shall be deposited in a separate fund to be maintained by the
 6 treasurer. All moneys reimbursed and repaid pursuant to section
 7 324.17 or transferred pursuant to section four (4) of this Act on
 8 account of motor fuel used for the purpose of operating aircraft shall
 9 be paid from said separate fund and all moneys remaining in said
 10 separate fund after all claims for refund and the cost of administering
 11 said fund have been paid shall be credited to the state aviation fund.

1 SEC. 8. The provisions of sections one (1) through four (4) of this
 2 Act are applicable to purchases made on or after July 1, 1974.

Approved May 10, 1974

CHAPTER 1224

HOMESTEAD TAX CREDIT

S. F. 1071

AN ACT relating to the homestead tax credit.

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

1 SECTION 1. Section four hundred twenty-five point two (425.2),
 2 Code 1973, is amended to read as follows:

3 425.2 Qualifying for credit. Any person who desires to avail him-
 4 self of the benefits provided hereunder applying for homestead tax

5 *credit* shall each year on or before July 1 deliver to the assessor, on
 6 ~~blank forms to be~~ furnished by the assessor, a verified statement and
 7 designation of homestead as claimed ~~by him, and the~~. *The assessor*
 8 shall return said statement and designation on July 2 of each year
 9 to the county auditor with ~~his a~~ recommendation for allowance or dis-
 10 allowance endorsed thereon. In case the owner of the homestead is in
 11 active service in the ~~military, naval, or air forces or nurse corps armed~~
 12 *forces* of this state or of the United States, *or is sixty-five years of age*
 13 *or older, or is disabled*, such statement and designation may be *signed*
 14 *and delivered or filed* by any member of the owner's family. *The*
 15 ~~county old age assistance investigator commissioner of social services~~
 16 *or his designee shall may* make application for the benefits of this
 17 chapter as the agent for and on behalf of persons receiving assistance
 18 under chapter 249.

19 *Any person sixty-five years of age or older or any person who is*
 20 *disabled may request from the appropriate assessor forms for filing*
 21 *for homestead tax credit. Any person sixty-five years of age or older*
 22 *or who is disabled may complete the form and return it to the appropri-*
 23 *ate assessor, by ordinary mail.*

1 SEC. 2. Section four hundred twenty-five point eleven (425.11),
 2 subsection two (2), Code 1973, is amended to read as follows:

3 2. The word, "owner", shall mean the person who holds the fee
 4 simple title to the homestead, and in addition shall mean the person
 5 occupying as a surviving spouse or the person occupying under a con-
 6 tract of purchase ~~where it is shown that not less than one-tenth of the~~
 7 ~~purchase price named in the contract actually has been paid and which~~
 8 contract has been recorded in the office of the county recorder of the
 9 county in which the property is located, or the person occupying the
 10 homestead under devise or by operation of the inheritance laws where
 11 the whole interest passes or where the divided interest is shared only
 12 by persons related or formerly related to each other by blood, mar-
 13 riage or adoption, or the person occupying the homestead under a deed
 14 which conveys a divided interest where the divided interest is shared
 15 only by persons related or formerly related to each other by blood,
 16 marriage or adoption. For the purpose of this chapter the word
 17 "owner" shall be construed to mean a bona fide owner and not one for
 18 the purpose only of availing himself of the benefits of this chapter.
 19 In order to qualify for the homestead tax credit, evidence of ownership
 20 shall be on file in the office of the clerk of the district court or recorded
 21 in the office of the county recorder at the time the owner files with the
 22 assessor a verified statement of the homestead claimed by him as pro-
 23 vided in section 425.2.

1 SEC. 3. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in *The Marion*
 3 *Sentinel*, a newspaper published in Marion, Iowa, and *The Maquoketa*
 4 *Community Press*, a newspaper published in Maquoketa, Iowa.

Approved May 2, 1974

I hereby certify that the foregoing Act, Senate File 1071, was published in *The Marion Sentinel*, Marion, Iowa, May 9, 1974, and in *The Maquoketa Community Press*, Maquoketa, Iowa, May 7, 1974.

MELVIN D. SYNHORST, *Secretary of State.*