

## CHAPTER 1194

## INCOME TAX REFERENCE

H. F. 1320

AN ACT to correct an internal code reference under the individual income tax law.

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

1 SECTION 1. Section four hundred twenty-two point sixteen (422.16), subsection  
 2 nine (9), Code 1975, is amended to read as follows:  
 3 9. The amount of any overpayment of the individual income tax liability of the  
 4 employee taxpayer, nonresident, or other person which may result from the  
 5 withholding and payment of withheld tax by the employer or withholding agent  
 6 to the department under subsections 1 and 12 hereof, as compared to the  
 7 individual income tax liability of the employee taxpayer, nonresident, or other  
 8 person properly and correctly determined under the provisions of section 422.4, to  
 9 and including section 422.25, may be credited against any income tax or  
 10 installment thereof then due the state of Iowa and any balance of one dollar or  
 11 more shall be refunded to the employee taxpayer, nonresident or other person  
 12 with interest at six percent per annum, such interest to begin to accrue forty-five  
 13 days after the date the return was due to be filed or was filed, whichever is the  
 14 later date. Amounts less than one dollar shall be refunded to the taxpayer,  
 15 nonresident, or other person only upon written application, in accordance with  
 16 section ~~422.74~~ *four hundred twenty-two point seventy-three (422.73) of the Code*, only  
 17 if such application is filed within twelve months after the due date of the return.  
 18 Refunds in the amount of one dollar or more provided for by this subsection shall  
 19 be paid by the ~~state~~ *treasurer of state* by means of warrants drawn by the  
 20 comptroller at the direction of the director, or an authorized employee of the  
 21 department, and the taxpayer's return of income shall constitute a claim for  
 22 refund for this purpose, except in respect to amounts of less than one dollar.  
 23 There is hereby appropriated, out of any funds in the state treasury not otherwise  
 24 appropriated, a sum sufficient to carry out the provisions of this subsection.

Approved May 20, 1976

## CHAPTER 1195

INTEREST PAYMENTS AND PENALTIES ON SALES AND INCOME  
TAXES

H. F. 749

AN ACT relating to interest payments and interest penalties under the retail sales and income taxes.

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

1 SECTION 1. Section four hundred twenty-two point sixteen (422.16), subsection  
 2 nine (9), Code 1975, is amended to read as follows:  
 3 9. The amount of any overpayment of the individual income tax liability of the  
 4 employee taxpayer, nonresident, or other person which may result from the  
 5 withholding and payment of withheld tax by the employer or withholding agent  
 6 to the department under subsections 1 and 12 hereof, as compared to the  
 7 individual income tax liability of the employee taxpayer, nonresident, or other