

18 section 422.75, summarizing each case in which an abatement of tax, interest or
 19 penalties was made under this section, but the report shall not disclose the
 20 identity of the taxpayer.

1 SEC. 4. Section four hundred twenty-two point fifty-eight (422.58), subsection
 2 one (1), Code 1975, is amended to read as follows:

3 1. If any person fails to file a permit holders monthly tax deposit or a return
 4 with the department of revenue on or before the due date, unless it is shown that
 5 such failure was due to reasonable cause, there shall be added to the amount
 6 required to be shown as tax on the *monthly tax deposit or return* five percent of
 7 the amount of the tax if the failure is for not more than one month, with an
 8 additional five percent for each additional month or fraction of a month during
 9 which such failure continues, not exceeding twenty-five percent in the aggregate.
 10 If any person or permit holder fails to remit the tax due with the filing of the
 11 *monthly tax deposit or return* on or before the due date, or fails to pay any amount
 12 of any tax required to be shown on the return, excepting the period between the
 13 completion of an examination of the books and records of a taxpayer and the
 14 giving of notice to the taxpayer that a tax or additional tax is due, there shall be
 15 added to the tax a penalty of five percent on the tax due, unless it is shown that
 16 such failure was due to reasonable cause. When penalties are applicable for
 17 failure to file a *monthly tax deposit or return* and failure to pay the tax due or
 18 required on the *monthly tax deposit or return*, the penalty provision for failure to
 19 file shall be in lieu of the penalty provision for failure to pay the tax due or
 20 required on the *monthly tax deposit or return*. The taxpayer shall also pay interest
 21 on the tax or additional tax at the rate of three-fourths of one percent per month
 22 counting each fraction of a month as an entire month, computed from the date
 23 the *monthly tax deposit or return* was required to be filed. Such penalty and
 24 interest shall be paid to the department and disposed of in the same manner as
 25 other receipts under this division. Unpaid penalties and interest may be enforced
 26 in the same manner as the tax imposed by this division.

Approved April 7, 1976

CHAPTER 1196

FUEL TAX AND INCOME TAX CREDIT

H. F. 1401

AN ACT to authorize the claim for a fuel tax credit claimed on certain state income tax returns filed when the claimant has failed to cancel the refund permit and making the Act retroactive.

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

1 SECTION 1. If in verifying the validity of a claim for a refund of fuel taxes
 2 through an income tax credit under section four hundred twenty-two point
 3 eighty-seven (422.87) of the Code for tax years beginning on or after
 4 January 1, 1975 and ending on or before December 31, 1976, the department
 5 discovers that all requirements of the law with respect to a refund of fuel taxes
 6 through an income tax credit have been complied with except for the provision of
 7 section four hundred twenty-two point eighty-six (422.86) of the Code requiring
 8 cancellation of the refund permit, the department may allow the income tax
 9 credit.

1 SEC. 2. Section one (1) of this Act is effective January 1, 1975 for tax years
2 beginning on or after January 1, 1975, and to this extent, the provisions of section
3 one (1) of this Act are retroactive.

1 SEC. 3. This Act, being deemed of immediate importance, shall take effect
2 and be in force from and after its publication in the West Des Moines Express, a
3 newspaper published in West Des Moines, Iowa, and in The Forest City Summit,
4 a newspaper published in Forest City, Iowa.

Approved April 19, 1976

I hereby certify that the foregoing Act, House File 1401, was published in the West Des Moines Express, West Des Moines, Iowa on April 22, 1976, and in The Forest City Summit, Forest City, Iowa on April 22, 1976.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1197

SPECIAL CHARTER CITY HOMESTEAD TAX CREDIT

H. F. 1576

AN ACT relating to the amount of the homestead tax credit allowed for claims filed between January 1, 1976 and July 1, 1976 and approved in any special charter city which levies and collects its own taxes and making the Act retroactive.

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

1 SECTION 1. Where any special charter city levies and collects its own taxes on
2 the effective date of Senate File one thousand sixty-two (1062), as enacted by the
3 Sixty-sixth General Assembly, 1976 Session, and approved by the governor the
4 amount of the homestead tax credit allowed under Senate File one thousand
5 sixty-two (1062), section twenty (20), as enacted by the Sixty-sixth General
6 Assembly, 1976 Session, and approved by the governor on eligible homesteads
7 within the city shall be computed as follows:

8 1. In an amount equal to the tax levy by the special charter city on the first
9 four thousand five hundred dollars of actual value for each eligible homestead.

10 2. In an amount equal to the remainder of the consolidated tax levy as
11 established by the county auditor on the first four thousand five hundred dollars
12 of actual value for each eligible homestead.

13 The homestead tax credit computed pursuant to subsection one (1) of this
14 section shall only be applicable for each homestead tax credit claimed between
15 January 1, 1976 and July 1, 1976, and approved. The homestead tax credit
16 computed pursuant to subsection two (2) of this section shall be applicable as
17 provided in Senate File one thousand sixty-two (1062)*, sections twenty (20),
18 twenty-one (21), and twenty-two (22), as enacted by the Sixty-sixth General
19 Assembly, 1976 Session and approved by the governor.

1 SEC. 2. In any special charter city which levies and collects its own taxes on
2 the effective date of Senate File one thousand sixty-two (1062), as enacted by the
3 Sixty-sixth General Assembly, 1976 Session, and approved by the governor the
4 city clerk shall compute that amount of credit allowed on each eligible homestead
5 within such city as provided in section one (1), subsection one (1) of this Act. Not
6 later than August 1, 1976, the city clerk shall certify the amount of the homestead
7 tax credits claimed for eligible homesteads in the city to the department of
8 revenue. The department shall reimburse the city in the same manner and at such
9 time as is presently provided by law.

*See Chapter 1067 hereof