

1 SEC. 3. The provisions of this Act which are applicable to a special charter
 2 city which levies and collects its own taxes are effective to January 1, 1976 for
 3 credits claimed and approved in 1976 under chapter four hundred twenty-five
 4 (425) of the Code for a homestead tax credit on eligible homesteads which claims
 5 are computed by the city clerk in the manner provided in section one (1),
 6 subsection one (1), of this Act and payable during the fiscal year beginning
 7 July 1, 1976 and ending June 30, 1977 and to this extent the provisions of this Act
 8 are retroactive.

1 SEC. 4. This Act, being deemed of immediate importance, shall take effect
 2 and be in force from and after its publication in the Quad-City Times, a
 3 newspaper published in Davenport, Iowa, and in the Charles City Press, a
 4 newspaper published in Charles City, Iowa.

Approved June 10, 1976

I hereby certify that the foregoing Act, House File 1576, was published in the Quad-City Times, Davenport, Iowa on June 15, 1976, and in the Charles City Press, Charles City, Iowa on June 14, 1976.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1198

FISCAL YEARS FOR TAXES

H. F. 1200

AN ACT relating to the assessment date, tax year, collection period, and delinquency dates of property taxes.

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

1 SECTION 1. The three installments of property taxes which became delinquent
 2 on April 1, 1974, October 1, 1974, and April 1, 1975, pursuant to the provisions of
 3 chapter four hundred forty-five (445) of the Code, were the property taxes for the
 4 period beginning January 1, 1973 and ending June 30, 1974.

5 The two installments of property taxes which became delinquent on October 1,
 6 1975, and April 1, 1976, were the property taxes for the fiscal year beginning July
 7 1, 1974 and ending June 30, 1975.

1 SEC. 2. Section four hundred twenty-eight point four (428.4), unnumbered
 2 paragraph one (1)*, Code 1975, is amended to read as follows: Property shall be
 3 ~~taxed~~ assessed for taxation each year. Personal property shall be listed and
 4 assessed each year in the name of the owner of the personal property on the first
 5 day of January and the assessment made shall be the value of the personal property
 6 as of January first of the year of the assessment. Real estate shall be listed and
 7 valued in 1971 and every four years thereafter. The assessment of real estate shall
 8 be the value of the real estate as of January first of the year of the assessment. In any
 9 year, after the year in which an assessment has been made of all the real estate in
 10 any assessing jurisdiction, it shall be the duty of the assessor to value and assess
 11 or revalue and reassess, as the case may require, any real estate that ~~he~~ the
 12 assessor finds was incorrectly valued or assessed, or was not listed, valued and
 13 assessed, in the real estate assessment year immediately preceding, also any real
 14 estate ~~he~~ the assessor finds has changed in value subsequent to January 1 ~~first~~ of

*See also Chapter 1199, §1

15 the preceding real estate assessment year. The assessor shall determine the actual
16 value and compute the taxable value thereof *as of January first of the year of the*
17 *reevaluation and reassessment*. The assessment shall be completed as specified in
18 section 441.28, but no reduction or increase in actual value shall be made for
19 prior years. If an assessor makes a change in the valuation of the real estate as
20 provided for herein, the provisions of sections 441.23, 441.37, 441.38 and 441.39
21 shall apply.

1 SEC. 3. Section four hundred forty-one point thirty-five (441.35), unnumbered
2 paragraph two (2), Code 1975, is amended to read as follows:

3 In any year after the year in which an assessment has been made of all the real
4 estate in any taxing district, it shall be the duty of the board of review to meet as
5 provided in section 441.33, and where it finds the same has changed in value, to
6 revalue and reassess any part or all of the real estate contained in such taxing
7 district, and in such case, it shall determine the actual value *as of January first of*
8 *the year of the revaluation and reassessment* and compute the taxable value thereof,
9 and any aggrieved taxpayer may petition for a revaluation of his property, but no
10 reduction or increase shall be made for prior years. If the assessment of any such
11 property is raised, or any property is added to the tax list by the board, the clerk
12 shall give notice in the manner provided in section 441.36, provided, however,
13 that if the assessment of all property in any taxing district is raised the board may
14 instruct the clerk to give immediate notice by one publication in one of the
15 official newspapers located in the taxing district, and such published notice shall
16 take the place of the mailed notice provided for in section 441.36, but all other
17 provisions of said section shall apply. The decision of the board as to the
18 foregoing matters shall be subject to appeal to the district court within the same
19 time and in the same manner as provided in section 441.38.

1 SEC. 4. Chapter four hundred forty-one (441), Code 1975, is amended by
2 adding the following new sections:

3 NEW SECTION. The assessment date of January first is the first date of an
4 assessment year period which constitutes a calendar year commencing January
5 first and ending December thirty-first. All property tax statutes providing for tax
6 exemptions or credits and requiring, as a prerequisite thereto, that a claim be
7 filed, shall be construed to require such claims to be filed during the assessment
8 year. In the event that no claim is required to be filed to procure an exemption or
9 credit, the status of the property as exempt or taxable on the levy date of the
10 fiscal year which commences during the assessment year determines its eligibility
11 for exemption or credit. Any statute requiring proration of property taxes for any
12 purpose shall be for the assessment year, unless otherwise stated, and such
13 proration shall be based on the status of the property during the assessment year.

14 NEW SECTION. The assessment date for property taxes for the fiscal period
15 beginning January 1, 1973 and ending June 30, 1974 and which became
16 delinquent during the fiscal period beginning January 1, 1974 and ending June 30,
17 1975, was January 1, 1973. The assessment date for property taxes for the fiscal
18 year beginning July 1, 1974 and ending June 30, 1975 and which became
19 delinquent during the fiscal year beginning July 1, 1975 and ending June 30, 1976,
20 was January 1, 1974. Thereafter, the assessment date is January first for taxes for
21 the fiscal year which commences six months after the assessment date and which
22 become delinquent during the fiscal year commencing eighteen months after the
23 assessment date.

1 SEC. 5. Section four hundred forty-five point thirty-six (445.36), Code 1975, is
2 amended to read as follows:

3 **445.36 Payment—installments.**

4 1. For fiscal years after July 1, 1975, the property taxes which become delinquent
5 during the fiscal year shall be for the previous fiscal year.

6 2. No demand of taxes shall be necessary, but it shall be the duty of every
7 person subject to taxation to attend at the office of the treasurer, at some time
8 between the first Monday in August and September 1 following, and pay his *or*
9 *her* taxes in full, or one-half thereof before September 1 succeeding the levy, and
10 the remaining half before March 1 following.

1 SEC. 6. The provisions of section one (1) of this Act shall be retroactive to
2 January 1, 1973. The provisions of sections two (2), three (3), and four (4) of this
3 Act shall be retroactive to January 1, 1976. The provisions of section five (5) of
4 this Act shall be retroactive to July 1, 1975.

1 SEC. 7. This Act, being deemed of immediate importance, shall take effect
2 and be in force from and after its publication in The Daily Freeman-Journal, a
3 newspaper published in Webster City, Iowa, and in The New Iowa Bystander, a
4 newspaper published in West Des Moines, Iowa.

Approved June 10, 1976.

I hereby certify that the foregoing Act, House File 1200, was published in The Daily Freeman-Journal, Webster City, Iowa, on June 16, 1976, and in The New Iowa Bystander, West Des Moines, Iowa, June 17, 1976.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1199

TAX ASSESSMENTS

H. F. 1564

AN ACT relating to equalization and assessment procedures by providing for the assessment of property every two years, providing that the equalized values be included in the assessments for the following year, providing for use of other appraisal methods to be used to determine value of property when market value cannot be determined, providing for appeal by assessors to state board of tax review on final equalization orders, relating to the date of delinquency for nonpayment of first-half property taxes due and payable in the fiscal year beginning July 1, 1976, and adjusting the dates relating to the completion of the assessment and delivery of the abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests, and the sessions of the local boards of review.

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

1 SECTION 1. Section four hundred twenty-eight point four (428.4), unnumbered
2 paragraph one (1), Code 1975, is amended to read as follows:

3 Property shall be ~~taxed~~ *assessed for taxation* each year. Personal property shall
4 be listed and assessed each year in the name of the owner of the personal
5 property on the first day of January *and the assessment made shall be the value of*
6 *the personal property as of January first of the year of the assessment.* Real estate
7 shall be listed and ~~valued in 1974~~ *assessed in 1978* and every ~~four~~ *two* years
8 thereafter. *The assessment of real estate shall be the value of the real estate as of*
9 *January first of the year of the assessment. The year 1978 and each even-numbered*
10 *year thereafter shall be a reassessment year.* In any year, after the year in which an
11 assessment has been made of all the real estate in any assessing jurisdiction, it
12 shall be the duty of the assessor to value and assess or revalue and reassess, as the
13 case may require, any real estate that ~~he~~ *the assessor* finds was incorrectly valued
14 or assessed, or was not listed, valued and assessed, in the real estate assessment
15 year immediately preceding, also any real estate ~~he~~ *the assessor* finds has changed
16 in value subsequent to January ~~1~~ *first* of the preceding real estate assessment year.