

CHAPTER 1141  
TAXABLE STATUS OF PROPERTY

S. F. 2298

AN ACT relating to the taxable status of property.

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

Section 1. Section four hundred twenty-seven point thirteen (427.13), unnumbered paragraph three (3), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 2. Section four hundred forty-one point forty-six (441.46), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The assessment date of January 1 is the first date of an assessment year period which constitutes a calendar year commencing January 1 and ending December 31. All property tax statutes providing for tax exemptions or credits and requiring ~~as a prerequisite thereto,~~ that a claim be filed, shall be construed to require such the claims to be filed during by July first of the assessment year. ~~In the event that~~ If no claim is required to be filed to procure an exemption or credit, the status of the property as exempt or taxable on ~~the levy date~~ July first of the fiscal year which commences during the assessment year determines its eligibility for exemption or credit. Any statute requiring proration of property taxes for any purpose shall be for the assessment fiscal year, ~~unless otherwise stated,~~ and such the proration shall be based on the status of the property during the assessment fiscal year.

Sec. 3. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section six (6), is amended to read as follows:

SEC. 6. Chapter four hundred twenty-seven (427), Code 1979, is amended by adding the following new sections:

NEW SECTION. ~~Taxable property on the tax rolls on July first of each year is subject to all property taxes levied and payable during the fiscal year.~~ If property which may be exempt from taxation is acquired after July first by a person or the state or any of its political subdivisions ~~and the person or the state or any of its political subdivisions files for a tax exemption for the property,~~ the exemption shall not be denied allowed for that fiscal year and the person or the state or any of its political subdivisions shall pay the property taxes levied against the property for that fiscal year, and payable in the following fiscal year. However, the seller and the purchaser may designate, by written agreement, the party responsible for payment of the property taxes due.

NEW SECTION. All credits for and exemptions from property taxes for which an application is required shall be granted on the basis of eligibility in the fiscal year in for which the application is filed, ~~unless otherwise provided by law.~~ If the property which has received a credit or exemption

becomes ineligible for the credit or exemption during the fiscal year for which it was granted, the property ~~shall be~~ is subject to the taxes in a prorated amount for that part of the fiscal year for which the property was ineligible for the credit or exemption, ~~unless otherwise provided by law.~~

Approved May 17, 1980

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CHAPTER 1142  
JUDICIAL REVIEW OF TAX ASSESSMENTS

S. F. 2264

AN ACT relating to the notice, appeal and judicial review of valuations and tax assessments made by the director of revenue.

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

Section 1. Sections two (2), three (3) and four (4) of this Act shall be codified as a new chapter of the Code.

Sec. 2. NEW SECTION. NOTICE OF ASSESSMENT. The director of revenue shall, at the time of making the assessment of property as provided in chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code, inform the person assessed, by certified mail, of the valuation put upon the taxpayer's property. The notice shall contain a notice of the taxpayer's right of appeal to the state board of tax review as provided in section three (3) of this Act.

Sec. 3. NEW SECTION. APPEAL. Notwithstanding the provisions of chapter seventeen A (17A) of the Code, the taxpayer shall have thirty days from the date of postmark of the notice of assessment to appeal the assessment to the state board of tax review. Thereafter, the proceedings before the state board of tax review shall conform to section four hundred twenty-one point one (421.1), subsection four (4) and chapter seventeen A (17A) of the Code.

Sec. 4. NEW SECTION. JUDICIAL REVIEW. Judicial review of the action of the state board of tax review may be sought by the taxpayer in accordance with the terms of chapter seventeen A (17A) of the Code.

Sec. 5. Section four hundred thirty-five point six (435.6), Code 1979, is amended by adding after unnumbered paragraph two (2) the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the tax due is greater than the amount paid, the department shall compute the amount due, together with interest and penalties as provided in section four hundred thirty-five point five (435.5) of the Code, and shall notify the taxpayer by certified mail of the total if paid on or before the last day of the month in which the notice is postmarked.