

## A BILL FOR

An act to provide for the raising of revenue for the state and for counties, cities, towns, and all other political subdivisions by taxation of property; providing for the levying of taxes and the assessment thereof upon property and the equalization of the assessed value of property subject to taxation; creating a state tax commission and defining its powers and duties; creating the office of county assessor and defining his duties; making provision for an appropriation to cover the expenses in the administration of this act; repealing the provisions of sections one thousand three hundred and seven (1307) to section one thousand three hundred and twenty (1320), both inclusive, one thousand three hundred and twenty-three (1323) to one thousand three hundred and twenty-seven (1327), both inclusive, one thousand three hundred and thirty-two (1332) to one thousand three hundred and forty-seven (1347), both inclusive, one thousand three hundred and fifty (1350) to one thousand three hundred and fifty-nine (1359), both inclusive, one thousand three hundred and sixty-two (1362), one thousand three hundred and sixty-four (1364), one thousand three hundred and sixty-five (1365), one thousand three hundred and sixty-seven (1367) to one thousand three hundred and seventy (1370), both inclusive, one thousand three hundred and seventy-five (1375) to one thousand three hundred and seventy-seven (1377), both inclusive, one thousand three hundred and seventy-nine (1379), one thousand three hundred and eighty-one (1381), one thousand three hundred and eighty-four (1384), and one thousand three hundred and eighty-six (1386) to one thousand three hundred and eighty-eight (1388), both inclusive, of the code, eighteen ninety-seven (1897) as the same are amended by the acts of the thirty-third and thirty-fourth general assembly; and also sections one thousand three hundred and three (1303), one thousand three hundred and four (1304), one thousand three hundred and four-A (1304-A), one thousand three hundred and five (1305), one thousand three hundred and

five-A (1305-A), one thousand three hundred and six-B (1306-B) to one thousand three hundred and six-F (1306-F), both inclusive, one thousand three hundred and twenty-one (1321), one thousand three hundred and twenty-eight (1328) to one thousand three hundred and thirty-I (1330-I), both inclusive, one thousand three hundred and thirty-one-A (1331-A), one thousand three hundred and thirty-three (1333) to one thousand three hundred and thirty-three-D (1333-D), both inclusive.

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

1 Section 1. That the sections of the code eighteen  
2 hundred and ninety-seven (1897) and of the supplement  
3 to the code nineteen hundred and seven (1907), and  
4 all of the acts specified in the title of this act  
5 for repeal are hereby repealed, and all acts and parts  
6 of acts and all provisions of existing law in conflict  
7 with the provisions of this act are hereby amended to  
8 conform with the provisions of this act.

1 Sec. 2. There is hereby created a commission to  
2 be designated and known as the Iowa tax commission  
3 and to be composed of three male electors of this  
4 state who shall be known and designated as tax  
5 commissioners, to be appointed by the governor  
6 subject to confirmation by a two-thirds (2/3) vote  
7 of the senate.

1 Sec. 3. The persons who shall be appointed to  
2 compose the first commission shall be appointed within  
3 ten (10) days after this act becomes a law and before

4 the adjournment of the thirty-ninth (39) general  
5 assembly. One of such persons shall be appointed  
6 to serve for the term of two (2) years, one for the  
7 term of four (4) years, and one for the term of six (6)  
8 years from and after the date of confirmation. There-  
9 after and as the respective terms of the said appointees  
10 shall expire the governor shall appoint successors in  
11 office to serve for the term of six (6) years.

1     Sec. 4. In the event that a vacancy shall occur  
2 on said commission during a term of office and at a  
3 time when the general assembly shall not be in session,  
4 the governor shall fill such vacancy by the appointment  
5 of a person having the qualifications required by  
6 section two (2) of this act, who shall have and possess  
7 all of the powers and authority of a commissioner until  
8 the next succeeding session of the general assembly.  
9 Within ten (10) days after the convening of the next  
10 succeeding general assembly the governor shall submit  
11 his appointment to the senate for confirmation, and  
12 when confirmed by the senate the appointee named to  
13 fill any vacancy shall have and exercise all of the  
14 powers of a commissioner for the unexpired term of  
15 his predecessor. In the event that the senate shall  
16 refuse to confirm any appointment made under the  
17 provisions of this act the governor shall on the next  
18 legislative day, submit a new appointment to the senate.

1     Sec. 5. No person shall be qualified to serve  
2 as a commissioner who has not for five (5) years  
3 previous to his appointment, been a free-holder and  
4 taxpayer of this state, and no more than two (2)  
5 of such commissioners shall be affiliated with the  
6 same political party, nor shall two (2) of said  
7 commissioners be a resident of the same congressional  
8 district at the time of appointment. No commissioner  
9 while holding his office shall hold any other office  
10 under the government of the United States of America,  
11 or of any of the separate states. Each commissioner,  
12 during the term of his office, shall live in the city  
13 of Des Moines, but may maintain his legal residence  
14 at any other place within the state of Iowa. Each  
15 commissioner shall devote his entire time to the duties  
16 of his office and shall not engage in any business or  
17 occupation, or in the practice of any profession while  
18 holding the office of tax commissioner.

1     Sec. 6. Each commissioner appointed under the  
2 provisions of this act before entering upon the  
3 discharge of the duties of his office, shall take, subscribe  
4 to and file with the secretary of state, the oath of  
5 office prescribed by section one thousand one hundred  
6 and eighty (1180) of the code, eighteen hundred and  
7 ninety-seven (1897), and shall give a bond conditioned  
8 on the faithful performance of his duties, in the sum

9 of ten thousand dollars (\$10,000.00), and any person,  
10 natural or artificial, who may sustain injury from any  
11 act of malfeasance, or misfeasance, in office, of such  
12 commissioner may maintain an action in the district  
13 court of Polk county to recover damages sustained  
14 against such commissioner and the surety on his bond.  
15 In the event that the commissioner shall make and execute  
16 a bond with a surety authorized under the provisions of  
17 existing law, by the commissioner of insurance, to act  
18 as surety upon surety and fidelity bonds, the premium  
19 charge shall be a valid claim against the state of Iowa,  
20 and shall be payable upon auditor's warrant after due  
21 approval and certification by the state board of audit.

1 Sec. 7. Each commissioner shall receive as a salary  
2 the sum of four thousand dollars (\$4,000) a year and  
3 such sum is appropriated out of any funds of the state  
4 of Iowa not otherwise appropriated, and shall be paid  
5 in twelve (12) monthly installments upon auditor's warrant  
6 issued to the treasurer of state; and in addition thereto  
7 each commissioner shall receive his actual expenses when  
8 absent from the city of Des Moines, upon official duties  
9 after his claim therefor has been filed in writing,  
10 verified by the commissioner making such claim, and approved,  
11 and certified, by the state board of audit, and there is  
12 hereby appropriated out of the funds not otherwise  
13 appropriated, a sufficient amount to meet such claims.

1     Sec. 8. The office of the tax commission  
2 shall be in the city of Des Moines and the officers of state  
3 having authority to provide offices for state officers, boards,  
4 and commissions, are hereby directed to furnish  
5 suitable and proper offices to the said tax commission.  
6 The tax commission shall be furnished upon its own  
7 requisition upon the official body having authority to  
8 purchase and furnish supplies to the officers and  
9 other official bodies of the state, with all postage, stationery,  
10 blanks, printing, telephone and telegraph tolls, express and  
11 freight charges, and all other general supplies required by the  
12 said commission in order to enable it to perform its proper  
13 functions as defined by the provisions of this act. The  
14 tax commission shall be furnished with all necessary clerical  
15 help and such other help and assistance as may be required  
16 to enable it to properly perform its functions  
17 and to carry out the purposes and provisions of this act;  
18 but no help shall be employed by it until such employment  
19 has been approved by the executive council or other  
20 official body authorized by law to determine such matters,  
21 and such council or other official bodies shall establish  
22 and fix the proper compensation of such clerical and other  
23 help and of such assistants, but no bill for expenses  
24 or for the salaries of any transient or temporary clerical  
25 or other help, or any assistant or employe shall be paid  
26 until the same shall have been presented to the board of

27 audit and duly approved by it.

1     Sec. 9. The tax commission is hereby empowered to  
2     appoint a secretary who shall serve during the will of the  
3     commission and who shall receive a salary of thirty-six  
4     hundred (\$3600) dollars a year. Before entering upon  
5     the duties of his office the secretary of the tax commission  
6     shall take the oath of office prescribed by section one  
7     thousand one hundred and eighty (1180) of the Code  
8     eighteen hundred ninety-seven (1897), and shall  
9     furnish a bond in the penal sum of five thousand  
10    dollars (\$5000) conditioned on the faithful performance  
11    of his duties. The secretary shall perform the usual  
12    duties of a secretary of an official board or commission and  
13    such other and further duties as may be required by the  
14    orders of the commission.

1     Sec. 10. There is hereby appropriated out of the  
2     general funds of the state not otherwise appropriated  
3     and available the sum of thirty-one thousand four  
4     hundred (\$31,400) dollars for each biennial period for the  
5     payment of the salaries of the members of the tax  
6     commission and of its secretary.

1     Sec. 11. The general expenses of the commission  
2     including the salaries of help, when duly audited  
3     and allowed shall be a charge upon any fund provided  
4     by law for the payment of such expenses and charges,  
5     and the same shall be paid in like manner and form

6 as payments of like character for other boards

7 and commissions are paid.

1 Sec. 12. The commission shall have and possess all  
2 the powers essential to a proper and efficient exercise of its  
3 duties and functions as required by the provisions of  
4 this act, and shall have and possess the following specific  
5 powers and shall perform the following duties:

6 1. To have, possess, and exercise all the powers and  
7 duties possessed by the executive council of this state  
8 with relation to the assessment and equalization of taxes  
9 under the provisions of law existing prior to the  
10 passage of this act.

11 2. To have, possess, and exercise general supervision  
12 over the administration of the tax laws of the state,  
13 except as otherwise specially provided in the statutes. It  
14 may adopt all general rules and regulations which in its  
15 judgment are necessary and proper with reference to  
16 its own conduct, and may prescribe all necessary rules and  
17 regulations to govern the conduct of its employes  
18 and assistants.

19 3. It shall prepare all forms to be used in the  
20 assessment of taxes which shall be known as assessment  
21 rolls and cause the same to be printed and bound.  
22 On or before December 1 of each year it shall furnish to  
23 the county assessor of each county a sufficient number of  
24 bound volumes of assessment rolls to enable the county

25 assessor and the local assessors to properly list and  
26 assess all property subject to taxation in each county  
27 and in each sub-taxation district thereof.

28 4. It shall prepare and cause to be printed all other  
29 blanks, documents, and forms which may be required in order  
30 that a permanent record may be made and kept with  
31 reference to the equalization of assessments, and the  
32 collection of taxes, and it shall from time to time as in its  
33 judgment may be necessary, prepare written forms of  
34 instructions for the guidance of all county assessors  
35 and local assessors within the state.

36 5. It shall have power to call upon any and all public  
37 officers, councils, commissions, boards, departments, bureaus  
38 or other official body to furnish it with information  
39 with reference to public receipts and expenditures,  
40 and it shall be the duty of such persons, officers, councils,  
41 commissions, boards, departments, bureaus or other  
42 official body to promptly collect any data or information  
43 required by the tax commission, and to transmit the  
44 same to the commission at its office in Des Moines.

45 6. It shall have power to hold public hearings either  
46 at the seat of government or other place within the state  
47 of Iowa, and to compel the attendance of witnesses, and  
48 it may issue a warrant for the arrest of any person  
49 duly summoned who refuses to appear before it as a witness at the  
50 time and place fixed in its subpoena. It shall be the duty

51 of any peace officers directed by the tax commission  
52 to serve its subpoena, to promptly serve the same and make  
53 a return of service forthwith; and it shall further  
54 be the duty of any peace officer directed to serve a warrant  
55 issued by the tax commission to promptly serve the  
56 same by arresting the person or persons named in  
57 such warrant, and producing them forthwith before the  
58 tax commission at the place specified in the warrant.

59 7. It shall have power to compel any witness before  
60 it to answer any question with relation to the knowledge  
61 of the witness with reference to any matter within the  
62 jurisdiction of the tax commission as conferred by this  
63 act, and no such witness shall be exempt from testifying  
64 on the grounds that his answer might tend to incriminate  
65 him, but no witness compelled to answer over his  
66 objection shall be thereafter prosecuted on any criminal  
67 charge growing out of any transaction as to which he shall  
68 have been compelled to testify. Any witness refusing  
69 to obey the order of the commission and answer  
70 any question propounded to him may be committed  
71 by the tax commission to the county jail of the county of his  
72 residence, and it shall be the duty of any  
73 peace officer directed by the tax commission in its order  
74 of commitment to arrest such witness,  
75 and deliver him to the sheriff, and it shall be the  
76 duty of the sheriff to receive the prisoner and

77 to confine him within the county jail under the same  
78 conditions as persons committed for contempt of  
79 court.

80 8. It shall have power to cause the deposition of witnesses  
81 residing outside the state of Iowa to be taken either upon  
82 written or oral interrogatories, and the clerk of the  
83 district court in any county in the state shall, under the  
84 order of the tax commission, issue a commission for  
85 the taking of such deposition. It shall be the duty of the  
86 tax commission to investigate the complaint of any taxpayer  
87 presented to it in writing, with reference to the con-  
88 duct of any county or local assessor, or with reference  
89 to the conduct and action of any county or local  
90 board of review, and it shall have power to enter and  
91 enforce any proper order in the premises, to the end that  
92 any wrong sustained by any citizen shall be  
93 properly remedied. It shall have full and complete  
94 power over the matter of the equalization of taxation  
95 and the equalization of assessments, and upon  
96 its discovery of inequalities in assessment or taxation,  
97 it shall be its duty forthwith to issue an order  
98 directing the board of review having proper jurisdiction  
99 of the subject matter, and including boards of review  
100 in special charter cities, to forthwith reconvene and to make  
101 such changes as will equalize the assessment  
102 and taxation within such jurisdiction. It shall be

103 its duty to make investigation with reference  
104 to the violation of law with reference to the listing,  
105 assessment, equalization, collection, and disbursement  
106 of public revenues, and it shall be its duty whenever  
107 the circumstances warrant, to institute such actions  
108 and proceedings, whether civil or criminal, as may be  
109 proper and permitted by law to punish the offender,  
110 or to recover any penalty or forfeiture provided  
111 for and to remove from office any public official  
112 subject to removal for misfeasance or malfeasance in  
113 office; and it shall be the duty of the attorney  
114 general and of the several county attorneys, to assist  
115 in all such prosecutions and proceedings, and civil actions.

116 9. It shall have power to make provision for  
117 the collection of information with reference to systems  
118 and methods of taxation in other states and  
119 foreign countries, by procuring all official pamphlets  
120 and documents issued by such other states or  
121 foreign countries.

122 10. It shall have power to cause copies of all laws  
123 of the state with relation to taxation to be  
124 printed for public distribution, and to distribute  
125 the same for public information, and shall have the  
126 further power to issue bulletins dealing with the subject  
127 of taxation, to be printed for public distribution and to  
128 distribute the same for public information. It shall

129 prepare and transmit to the governor and to each  
130 member of the successive incoming general assembly, a  
131 report of all its proceedings during the biennial period,  
132 together with a statement with relation to the result  
133 of its investigations and experience, and its  
134 recommendations with reference to amendments and  
135 additions to existing law.

136 11. The enumeration of powers and duties contained  
137 in the preceding section of this act shall not be deemed  
138 to be exclusive, and the commission shall have and  
139 possess such other and further general powers and  
140 duties as may be essential and convenient to enable it  
141 to perform its proper functions. In the event that any  
142 person or persons shall feel aggrieved at any action of the  
143 tax commission, they may file a complaint with the  
144 attorney general, and it shall be his duty to fully  
145 investigate the facts, and if such tax commission, or  
146 any member thereof, shall have been guilty of an  
147 abuse of power or other official misconduct, or shall  
148 have done any act constituting misfeasance or malfeasance  
149 in office, the attorney general shall commence a legal  
150 action in the supreme court, which court is hereby given  
151 original jurisdiction over such proceedings, and which  
152 action shall be entitled in the name of the state of Iowa  
153 on the relation of the attorney general, against such  
154 commissioner or commissioners as the attorney

155 general shall believe to be guilty. The supreme court  
156 shall fix a time for hearing said action which shall be at as  
157 early a date as is convenient for the court, and  
158 which proceeding shall take precedence over all other  
159 pending causes, and upon the conviction of such  
160 commissioner or commissioners shall enter an order removing  
161 such commissioner or commissioners from office, and upon entry  
162 of such order such commissioner or commissioners as are  
163 convicted shall immediately cease to have or possess any powers  
164 as such. Judgment of forfeiture shall also be entered on the  
165 official bond or bonds. The vacancy so created in the personnel  
166 of the commission shall be filled in like manner as is provided  
167 in this act for filling vacancies.

168 12. The commissioner having the shortest  
169 time to serve under his appointment, shall be the  
170 chairman of the commission and shall sign on behalf  
171 of the commission all orders, subpoenas, warrants,  
172 and other documents of like character issued by the  
173 commission, and his signature shall be attested by the  
174 secretary thereof and by the seal of commission  
175 thereto affixed.

176 13. The first commission appointed under the  
177 provisions of this act shall meet at the Capitol within thirty  
178 (30) days after their appointment and shall appoint a  
179 secretary and organize by taking the oath of office  
180 and furnishing official bonds, and it shall make such

181 general arrangements as necessary for carrying out its  
182 proper functions under the provisions of this act.

1     Sec. 13. The commission shall be in continuous session  
2 on all secular days after its organization, except  
3 legal holidays. A majority of the commission shall  
4 constitute a quorum for the transaction of its business,  
5 but a single commissioner may sit on the hearing in any  
6 matter. No final determination of any matter, however,  
7 shall be valid without the approval of a majority of  
8 the commission taken by vote, and a record of all actions  
9 of the commission and the record of the vote shall  
10 be preserved in a proper record or minute book  
11 provided for that purpose, which record or minute book  
12 shall become a part of the permanent records of the tax  
13 commission. The chairman of the commission shall  
14 be the commissioner having the shortest time to serve,  
15 except that when a new commissioner is appointed to  
16 fill a vacancy the commissioner having the shortest time  
17 to serve at the time the vacancy occurs shall act as  
18 chairman of the commission.

1     Sec. 14. As soon as the first commission shall have  
2 been fully organized it shall certify such fact to the  
3 secretary of the executive council, and the secretary  
4 of the executive council shall forthwith deliver to the  
5 tax commission all records, books, papers, documents, and  
6 memorandum in the possession of the executive

7 council, pertaining to the assessment, and equalization  
8 of taxes, and all papers, documents and files relating  
9 to any hearing with reference to taxation pending  
10 before the executive council, and the jurisdiction  
11 of the executive council over such hearing shall at once  
12 vest in the tax commission, which shall carry on said  
13 hearing and exercise complete jurisdiction in the  
14 premises.

1 Sec. 15. In like manner upon the completion of its  
2 organization, the tax commission shall certify such  
3 fact to the auditor of state and the auditor of state  
4 shall forthwith deliver to the tax commission all  
5 records, books, papers, documents, and memorandum in  
6 his possession relating to the assessment and collection  
7 of taxes and all of the rights, powers and duties  
8 of the auditor of state with relation to the assessment,  
9 and collection of taxes under the provisions of law  
10 existing at the time of the passage of this act shall  
11 at once vest in and be exercised by the tax commission.

1 Sec. 16. Upon the completion of its organization,  
2 the tax commission shall forthwith certify to each  
3 county auditor the fact of its organization and require  
4 the auditor of each county to call a meeting of a  
5 board to be composed of the chairman of the board of  
6 supervisors, and the auditor, treasurer, recorder  
7 and clerk of his county, to be held not more than

8 thirty (30) days after such notice, at the office of  
9 the county auditor.

1 Sec. 17. It shall be the duty of the board constituted  
2 as provided in the last preceding section to meet  
3 in accordance with the terms of the notice and to select a  
4 county assessor.

1 Sec. 18. The person so selected by such board  
2 as county assessor shall be a male elector having resided  
3 in such county and been a freeholder and taxpayer therein  
4 for at least five (5) years prior to the date of  
5 his appointment.

1 Sec. 19. Before entering upon the duties of his  
2 office the county assessor shall file with the county  
3 auditor a bond in the penal sum of five thousand  
4 (\$5,000), dollars, conditioned upon the faithful performance  
5 of his duties, with a corporate surety authorized by the  
6 insurance commissioner to engage in the business of  
7 surety and guarantee insurance within this state, and the  
8 auditor shall at once transmit said bond to the secretary  
9 of the state tax commission. The premium on such  
10 bond shall be payable out of county funds and the bill  
11 therefor shall be presented, allowed, and paid as other  
12 like charges against the county.

1 Sec. 20. The salary of the county assessor in the  
2 separate counties shall be the same as that of the  
3 auditor of said county, and he shall be allowed his actual

4 traveling expenses in the performance of his duties  
5 and said salary and expenses shall be paid out of the funds  
6 of the county, and shall be presented, audited, allowed  
7 and paid as other like claims against the county.

8 The county assessor in each county shall be provided with  
9 an office at the county court house and shall devote his  
10 entire time to the duties of his office. During his term  
11 of office he shall not hold any official position upon any  
12 political committee or other political organization, nor  
13 shall he make any contribution to any political party  
14 or organization. He shall be provided with all necessary  
15 clerical help whose salary shall be fixed by the board  
16 of supervisors, and all supplies such as postage, stationery,  
17 telegraph and telephone tolls, express and other  
18 like general expenses required in the conduct of his  
19 office, and such expenses shall be paid from the  
20 county funds and shall be presented, audited, allowed  
21 and paid as like expenses of other county officials.

1 Sec. 21. In the event that the county assessor elected  
2 by the appointing board shall refuse to qualify or in the  
3 event that a vacancy shall at any time occur in the office  
4 of county assessor, the auditor shall call a meeting of  
5 the appointing board which shall meet at  
6 the office of the county auditor at the earliest  
7 possible date after notification and select a successor  
8 to the county assessor, who shall have all the qualifications

9 and shall qualify in the same manner as herein  
10 before provided.

1 Sec. 22. The term of office of the county  
2 assessor shall be four (4) years, and in case of a  
3 vacancy in the office during a term the successor appointed  
4 shall serve out unexpired period.

1 Sec. 23. Whenever any county assessor shall feel that  
2 by reason of the amount of work required of him he is  
3 unable to properly and efficiently perform his duties as  
4 required under the provisions of this act, he shall  
5 request the appointing board to provide such  
6 assistant or assistants as he may believe are required.  
7 Such request shall be made in a notice filed with the auditor  
8 of his county and it shall be the duty of the  
9 county auditor to call a meeting of the appointing  
10 board within ten days after such request to consider  
11 the same, and it shall be the duty of the appointing  
12 board to meet at the office of the county auditor  
13 at the time fixed in the notice and consider such matter.  
14 If the appointing board shall refuse to appoint an  
15 assistant or as many assistants as the county assessor  
16 has requested, the county assessor may make complaint  
17 to the tax commission which shall at as early a date as  
18 practicable, fix a time for hearing. The place of  
19 such hearing shall be at the county seat where the matter  
20 arises, or in any other place in said county which the tax commission

21 shall deem most convenient. Upon such hearing the tax  
22 commission may affirm or reverse the order of the  
23 appointing board and may direct the appointing board  
24 to grant an assistant or assistants as in its judgment  
25 may seem necessary. Such assistant county  
26 assessor shall have and possess all of the qualifications  
27 required of a county assessor, and shall qualify in like  
28 manner except that the bond of any assistant county  
29 assessor shall not exceed the sum of one thousand  
30 dollars (\$1000). The salary of the assistant county  
31 assessor shall be fixed by the board of supervisors  
32 but shall not in any event be less than one-half ( $\frac{1}{2}$ )  
33 the salary of the county assessor. The assistant county  
34 assessor shall be allowed his actual traveling expenses  
35 when engaged in his official duties, claim for which shall  
36 be presented, audited, allowed and paid by the county  
37 in like manner as the traveling expenses of the county  
38 assessor. Any vacancy in the office of assistant  
39 county assessor shall be filled in like manner as  
40 vacancies in the office of county assessor.

1     Sec. 24. In the event that the situation is not such  
2 as to require the appointment of an assistant county  
3 assessor, or assessors, but is such as to require temporary  
4 help, all of the provisions of the preceding section  
5 shall apply except that it shall not be necessary for such  
6 temporary help to furnish a bond, and the compensation

7 shall be limited to not to exceed five dollars (\$5) a day,  
8 nor less than three dollars (\$3) a day, and the  
9 employment shall not continue beyond  
10 the emergency.

1 Sec. 25. The assistant county assessor shall be  
2 subject to the orders and instructions of the county  
3 assessor and shall have and exercise the powers of the  
4 county assessor in so far as the same are delegated to  
5 him by the county assessor.

1 Sec. 26. The county assessor shall be the chief  
2 assessment officer of the county and subject to the orders  
3 and directions of the tax commission, shall have and  
4 possess the following powers and shall exercise  
5 the following duties:

6 1. The county assessor shall be the representative  
7 within his county of the tax commission, and shall  
8 have within his county the jurisdiction conferred upon  
9 the tax commission, and shall have and exercise any  
10 power and perform any duty of the tax commission or of  
11 a tax commissioner, when authorized by the tax  
12 commission to exercise such powers and to perform  
13 such duties.

14 2. It shall be the duty of the county assessor to call  
15 a meeting of the local assessors of his county at the court  
16 house on the second Tuesday of December of each  
17 year for the purpose of instructing local assessors

18 with reference to their duties and to furnish such  
19 local assessors with copies of the instructions and  
20 orders of the tax commission, and to deliver to each  
21 local assessor a sufficient number of assessment rolls to  
22 enable him to make an assessment of all the  
23 property subject to taxation within his assessment  
24 district.

25 3. On or before the fifteenth (15) day of  
26 November in each year the county assessor  
27 shall certify to the tax commission the number of  
28 assessment districts within his county, together  
29 with the number of assessment rolls that will be required  
30 for making the assessment of property within  
31 such county subject to taxation.

32 4. It shall be the duty of the county assessor  
33 to see that all property subject to taxation within such  
34 county is properly listed and assessed, and he shall have  
35 the power and it shall be his duty during the period of assessment  
36 to assist local assessors whenever necessary in securing a  
37 correct listing and assessment of property subject to taxation,  
38 and whenever in his judgment it shall be necessary so to do,  
39 he shall himself or through his assistants go into any  
40 assessment district and make an assessment of any  
41 property therein.

42 5. He shall have the power and it shall be his duty to  
43 examine the books and records of any person, firm,

44 or corporation within the county whenever he has reason  
45 to believe that such person, firm, association or corporation has  
46 not listed their property as provided by law, and he shall  
47 have the power and it shall be his duty to administer  
48 oaths to any person or the members of any partnership  
49 or the officers of any association or corporation within the county,  
50 and to examine them with reference to their  
51 property subject to taxation.

52 6. He shall have the power and it shall be  
53 his duty during the assessment period, to direct any local  
54 assessor to reconsider any assessment made by such  
55 local assessor and report it to him, and to further investigate  
56 and if necessary, to re-assess the property of any person,  
57 firm, association or corporation within the county.

58 7. It shall be his duty to examine the public records  
59 of his county and especially those records of the transfers  
60 of land, bills of sale of personal property, mortgage records,  
61 and all records in probate, and to furnish to the local  
62 assessor any information derived from such records that  
63 may be of assistance to the local assessors in procuring and  
64 making a correct listing and assessment of all property  
65 in his assessment district subject to taxation.

1 Sec. 27. In each assessment district of the county  
2 a local assessor shall be elected at the same time  
3 and in the same manner as provided by law prior to the  
4 passage of this act, and such local assessors shall have the

5 same qualifications and qualify in the same manner as  
6 required by law prior to the passage of this act,  
7 and shall receive the same salaries as theretofore  
8 paid, which shall be payable from the same source as  
9 theretofore provided by law.

1 Sec. 28. Subject to the instructions and orders of the  
2 tax commission and the directions and orders of  
3 the county assessor, the local assessors shall have and  
4 exercise the following powers and shall perform the  
5 following duties:

6 1. Each local assessor shall attend the meeting  
7 required by the provisions of this act to be  
8 held in each county of the state on the second (2)  
9 Tuesday of December, at the county seat of  
10 each county, for instruction by the county  
11 assessor with reference to the powers and  
12 duties of local assessors.

13 2. Between the first (1) day of January and the  
14 first (1) day of April of each year each local assessor  
15 shall list all property within his district subject to  
16 assessment and shall assess the same at its actual value,  
17 and shall enter such listing and assessment  
18 upon the assessment rolls.

19 3. The local assessor shall have the power and  
20 it shall be his duty to administer an oath  
21 to each person charged with the duty of listing

22 property under the provisions of this act, and to examine  
23 such person with reference to his property subject to  
24 taxation and the value thereof, and shall require each such  
25 person under oath to subscribe to the list of property returned  
26 by him, and deliver to each such person a copy of  
27 the listing of such property.

28 4. The local assessor shall have the power and it  
29 shall be his duty to examine personally the books of account,  
30 inventories and invoices of all persons, firms, associations and  
31 corporations within his assessment district for the purpose of  
32 determining the true values of all property subject to  
33 assessment and the amount of moneys and credits and  
34 the value of intangible rights subject to taxation.

35 5. Each local assessor shall make a daily report to the  
36 county assessor and shall forward to such county assessor  
37 a copy of the listings and assessments of property  
38 made on each day.

39 6. On the first (1) day of April of each year  
40 each local assessor shall deliver to the clerk of the city,  
41 town, or township constituting his assessment district  
42 the assessment roll of such district, and shall perform all other  
43 duties required of him under the provisions of law as existing  
44 before the passage of this act.

1 Sec. 29. All of the provisions of law existing at the  
2 time of the passage of this act with reference to local

3 and county boards of equalization are hereby  
4 expressly continued.

1 Sec. 30. All property, real and personal, tangible and  
2 intangible, not specifically exempted from taxation is  
3 subject to taxation and, subject to the further provisions of  
4 this act, shall be listed and assessed both as to its amount,  
5 value and ownership as of the date of January 1 of each year.

1 Sec. 31. The following property and rights  
2 in property shall be subject to taxation except as  
3 otherwise specifically provided: Lands, tenements,  
4 hereditaments, easements and leases; horses, mules,  
5 asses and cattle over one year of age; sheep, goats and  
6 swine over six months of age; household furniture;  
7 trade fixtures; precious stones, jewelry, watches and musical  
8 instruments, vehicles and all agricultural implements and  
9 machinery; harvested crops; stocks of coal, lumber and  
10 merchandise; boats and vessels of every description;  
11 all money in possession; notes, mortgages, accounts and  
12 credits; evidences of rights, titles and interests such as bonds,  
13 stocks and trust certificates; franchises of public  
14 service corporations; those portions of dams, power plants  
15 and bridges across the boundary rivers of this state  
16 located within the jurisdiction of this state.

1 Sec. 32. Except as otherwise provided, all taxes  
2 levied upon property within an assessment district shall be  
3 uniform according to the actual value thereof, and the

4 taxable property of each class shall be subjected to  
5 the same rate of taxation for all purposes for which  
6 taxes are levied.

1 Sec. 33. The following classes of property shall  
2 not be assessed for taxes, or taxed:

3 1. The property of the United States of America and  
4 the State of Iowa and of every political subdivision  
5 of such state; the property of any company of the  
6 State National Guard or other military organization,  
7 devoted entirely to a public use and not held  
8 for pecuniary profit.

9 2. The buildings and ground together with the  
10 equipment and books of all private libraries open  
11 to the public and not used for pecuniary profit;  
12 the buildings and ground and the equipment of all  
13 literary, scientific, charitable, benevolent,  
14 agricultural, and religious institutions and societies  
15 devoted solely to the appropriate objects of these  
16 institutions, not exceeding 160 acres in extent, and  
17 not leased or otherwise used with a view to pecuniary  
18 profit; moneys and credits belonging exclusively to  
19 such institutions, devoted solely to sustaining them  
20 and such real estate as may be a part of the endowment  
21 fund of such institutions.

22 3. All lands occupied and used by the public as roads,  
23 or highways and the land included within the border

24 of the drainage ditches of the drainage districts of  
25 this state.

26 4. All lands granted and conveyed by the United  
27 States of America or this State, or by any political  
28 subdivision of this State, for the year in which the  
29 grant and conveyance is made.

30 5. Growing crops and crops harvested by an owner or  
31 tenant from land owned or leased while the title and  
32 right of possession thereto remain in such owner or  
33 tenant, which have been grown and harvested during the  
34 year preceding the date of listing; the wool shorn  
35 from his own sheep by any owner during the year  
36 previous to the date of listing; ten stands of bees; all swine,  
37 goats and sheep under six (6) months of age;  
38 all poultry and eggs not part of a stock of  
39 goods and not kept in storage for sale; all domestic animals  
40 under one (1) year of age not heretofore exempted;  
41 all evidences of indebtedness for rent not yet due while in the  
42 hands of the original payee; all private libraries not  
43 used in the practice of a profession; all furniture and  
44 furnishings kept and used in the home, apartment or room  
45 of the owner for himself, or his family; all wearing apparel,  
46 food and provisions kept by the owner for his own  
47 use or for members of his family.

48 6. The farm implements of an owner who makes  
49 his living by farming; one team and wagon or other

50 vehicle kept and used by the owner personally in  
51 teaming or hauling for himself or others when such  
52 owner makes his living exclusively with the use  
53 thereof; the tools of any mechanic used by himself  
54 personally in his trade out of which he makes his  
55 living.

56 7. The funds and accumulations of any mutual co-operative  
57 association or of any fraternal or other insurance association  
58 organized and operated solely for the benefit of its members and  
59 not authorized to make any disbursements except for losses  
60 sustained by the members thereof and its actual expenses of  
61 operation, and kept solely for the payment  
62 of losses and expenses accrued and accruing if  
63 such associations are organized under the laws of this  
64 State.

65 8. All bonds or other evidences of indebtedness issued  
66 under the authority of the government of the United States  
67 of America and exempted from local taxation by Federal  
68 statutes; all bonds or other evidences of indebtedness  
69 issued under the authority of the laws of the State  
70 of Iowa. No deduction from the assessment of the  
71 stock of any bank, trust company, or other corporation  
72 shall be made because such bank, trust company, or  
73 other corporation has invested its funds in any of  
74 the bonds or other evidences of indebtedness exempted  
75 from taxation under this subdivision.

76 9. All motor vehicles on which the registration fee required  
77 by law has been paid for the current year at the time  
78 of listing as shown by the official number plate  
79 and registration card.

80 10. All incomes derived from pensions or bonuses  
81 granted and paid under the authority of the Acts of  
82 Congress or the statutes of this State.

83 11. The shares of stock of all telegraph and telephone  
84 companies, freight line and equipment companies, express  
85 companies, corporations engaged in merchandising and in  
86 manufacturing within this State, and of corporations  
87 not organized for pecuniary profit.

88 12. The property of such persons as the local board  
89 of review in the assessment district in which they reside  
90 shall determine for reasons to be entered on the minutes  
91 of the board to be unable to contribute to the public  
92 revenue.

93 13. The property not to exceed five thousand (\$5000)  
94 dollars in value of every honorably discharged soldier  
95 of the Mexican War and of every honorably discharged  
96 Union soldier or sailor of the Civil War and of every  
97 honorably discharged soldier and sailor and marine of  
98 the Spanish War, the Philippine War and the World War,  
99 and of every surviving widow of such soldier, sailor or  
100 marine so long as such widow shall remain unmarried.

1     Sec. 34. The exemptions granted under the  
2 provisions of the preceding section to indigent persons  
3 and to soldiers, sailors, marines and their widows shall  
4 be personal to the persons exempted and shall not follow  
5 the property and such property shall be subject to  
6 taxation the same as other like property when owned, held  
7 or possessed by any person not within the special classes.

1     Sec. 35. The board of supervisors shall have power to  
2 remit the taxes on any property subject to taxation which  
3 has been lost or destroyed by unavoidable casualty before  
4 the taxes thereon become due and payable, except to the  
5 extent that such property was covered by insurance.

1     Sec. 36. The term credit used in this act shall be  
2 construed to include every claim for money whether due  
3 on oral agreement or evidenced by a written instrument  
4 and the term stock as used in this act shall be  
5 construed to include every evidence of a right to  
6 participate in the profits of any association or combination  
7 of persons engaged in any common or joint enterprise.

1     Sec. 37. Except as otherwise provided, moneys,  
2 credits, corporation shares and stocks shall be assessed  
3 and taxed upon the uniform basis of five (5) mills on the  
4 dollar of the actual assessed value and the same shall be  
5 assessed and taxed where the owner resides at the time of  
6 the assessment. The millage tax herein provided shall be  
7 in lieu of all other taxes upon moneys, credits, corporation

8 shares and stocks and the same shall be levied, collected  
9 and distributed as other taxes.

1     Sec. 38. In fixing the assessed value of moneys,  
2 credits and stocks which are directly assessable to the  
3 owner thereof at his place of residence, the local  
4 assessor shall deduct from the actual value thereof  
5 the actual amount of all debts owing in good faith  
6 by the owner and founded upon an actual and valuable  
7 consideration. The owner shall furnish to the assessor  
8 a full and true schedule of his moneys, credits, shares  
9 or stock and a like schedule of the debts on account of  
10 which a deduction is claimed. Such schedule shall show  
11 the character both of the credits and debits, the name  
12 and place of residence both of the creditor and debtor,  
13 the amount of and date upon which liability was incurred,  
14 and the due date thereof, and such schedules shall be  
15 returned by each local assessor with the assessment roll  
16 and shall be a part of the assessment roll. Any person, omitting  
17 any monies, credits, shares or stock, unless he shall  
18 establish that such omission was due to mistake, shall  
19 forfeit his right to maintain any proceedings or actions  
20 at law or in equity in the courts of this State to enforce any  
21 right which he may have as owner of such monies, credits,  
22 shares or stock; and any person who shall schedule an indebt-  
23 edness and claim deduction on account thereof shall thereby  
24 forfeit all his defenses, legal and equitable, in any action

25 or proceeding commenced in the courts of this State to  
26 collect the debt. The assessment rolls shall be conclusive  
27 evidence of such omission or claim of deduction. Notes given  
28 as security or deposit notes in aid of the organization of  
29 a mutual insurance company shall not be considered debts  
30 within the meaning of this section, nor shall any indebtedness  
31 contracted for the purchase of any form of property  
32 non-taxable under the provisions of this act be regarded as  
33 such a debt as to entitle the owner to a deduction.

1     Sec. 39. All monied capital within the meaning  
2 of section five thousand two hundred and nineteen  
3 (5,219) of the Revised Statutes of the United States  
4 of America used in competition with national, state  
5 and savings banks, and loan and trust companies shall  
6 be listed and assessed against the owner thereof at  
7 his place of business, and if a corporation at its  
8 principal place of business, at the same rate as state,  
9 savings, and national bank and loan and trust company  
10 stock is taxed, in the same taxing district and at the  
11 actual value of the monied capital so invested. All  
12 persons, firms or corporations using monied capital  
13 in competition with bank capital shall furnish the  
14 local assessor a full and complete itemized statement  
15 verified under oath showing the amount of monied  
16 capital so used.

1     Sec. 40. Every dealer in grain, ice or coal, hay,  
2 live stock, lumber and produce if a person or firm  
3 or corporation, and every person, firm, or corporation  
4 engaged in merchandising shall be assessed upon the  
5 average amount of capital not invested in real  
6 estate used in conducting the business during the  
7 calendar year next preceding the making of the assess-  
8 ment, if such business has been conducted during such  
9 year and if not upon the average amount of capital used  
10 during the period that the business has been in operation.  
11 It shall be the duty of every such person and firm and of  
12 the treasurer of every such corporation resident within  
13 this State, and of the representative of any non-resident  
14 person, firm or corporation owning and conducting the  
15 business of dealing in any of the commodities and articles  
16 above specified or in merchandise to furnish to the local  
17 assessor of the assessment district or districts in  
18 which such business is conducted a sworn statement  
19 showing the highest and lowest amounts of cash capital  
20 invested and used in conducting such business within  
21 the assessment district during the calendar year next  
22 preceding the date of assessment, or during a shorter  
23 period if such business has not been conducted during the  
24 full calendar year. In arriving at the amount of  
25 invested capital increases and decreases in the value  
26 of commodities, articles and merchandise dealt in during

27 the year or shorter period shall be taken into consideration  
28 and increases in value shall be considered  
29 increases in the invested cash capital, and decreases  
30 in value shall be deemed decreases in the invested cash  
31 capital. In arriving at the amount of invested cash  
32 capital the value of all structures located upon  
33 railroad rights of way and the value of the leasehold  
34 interests shall be included. The value of all intangible  
35 rights such as good will and the value of all other  
36 intangible rights such as the value of the right of  
37 location and occupancy, shall be considered by the  
38 assessor. The assessor shall also take into consideration  
39 the value of business done, profits and losses  
40 made or sustained, and may make an inventory of the stock  
41 and trade fixtures at the time of the assessment, and from  
42 all information obtainable he shall determine the average  
43 value of the capital of such business for the year,  
44 and shall assess the owner upon the basis of value  
45 so determined.

1 Sec. 41. Leasehold interests in lands and other  
2 intangible rights and interests in real estate, which  
3 lands and real estate are exempt from taxation under  
4 the provisions of this act, shall be assessed and taxed  
5 as real estate. The value of the estate of any person  
6 holding an option for the purchase of real estate not  
7 otherwise taxable shall be determined by fixing the

8 actual value of the real estate and deducting therefrom  
9 the amount required to be paid in the exercise of the  
10 option, and the difference used as the actual value of  
11 such interest.

1 Sec. 42. Any person, firm, or corporation within  
2 this State who purchases, receives, or holds personal  
3 property of any description for the purpose of adding  
4 to the value thereof by any process of manufacturing,  
5 packing, refining, purifying, or who combines different  
6 materials or elements in the creation of a new product  
7 shall be deemed a manufacturer under the provisions of  
8 this act, and shall be assessed upon the average value  
9 of the capital used and invested in the conduct of the  
10 business, except so much thereof as may be invested in  
11 real estate, in the same manner as provided in section  
12 forty (40) of this act, and the same procedure set forth  
13 in section forty (40) for dealers and merchants shall  
14 be followed in making the assessment. The equipment  
15 of every manufacturing plant including boilers, engines,  
16 motors, machinery, fixtures and tools shall be taken  
17 into account in fixing the capital investment, and shall  
18 not be otherwise taxable, but the real estate and  
19 buildings shall be assessed and taxed as other like  
20 property.

1 Sec. 43. All property subject to taxation owned,  
2 held or possessed by any dealer, merchant or manufacturer

3 not directly connected with and used in the business  
4 of such dealer, merchant or manufacturer shall be  
5 listed, assessed and taxed as other like property,  
6 and all real estate owned by any dealer, merchant or  
7 manufacturer whether used in the business or not shall be  
8 assessed and taxed as other real estate and shall not be  
9 considered in determining the value of invested capital.

1 Sec. 44. Private banks or bankers and unincorporated  
2 associations who shall engage in the business of  
3 receiving deposits subject to check or on certificates  
4 or receipts or in the business of selling exchange, shall  
5 prepare and furnish to the local assessor of the assessment  
6 district in which the business is located, a sworn  
7 statement showing the assets other than real estate and  
8 the liabilities of the bank and the personal liabilities  
9 of the banker on January 1 of the current assessment year,  
10 as follows:

11 1. The amount of money on hand, in transit, and on  
12 deposit with other solvent banks or bankers, brokers  
13 or other persons or corporations.

14 2. All checks, drafts, notes, certificates not  
15 included in the preceding items, and the amount and actual  
16 value thereof.

17 3. The amount of bills payable.

18 4. All bonds, shares and stock of other corporations  
19 or companies held as an investment or in any way

20 representing assets, and the actual value thereof.

21 5. All real estate owned and the actual value thereof  
22 and the incumbrance thereon.

23 6. A statement of the profits and losses of the preceding  
24 year.

25 7. The furniture and fixtures of the banking house and  
26 the actual value thereof.

1 Sec. 45. From the statements so made and upon such  
2 knowledge and information as he may be able to gain from  
3 other sources, the assessor shall determine the value  
4 of such banking institution as if capitalized and  
5 incorporated and shall assess the same at its capitalized  
6 value in the trade name of such bank, and the  
7 taxes levied shall become a lien upon the real estate of  
8 the owner or owners of such bank and shall be collected  
9 in the same manner provided for the collection of taxes  
10 levied upon the property of the individual owners; but  
11 all real estate and all personal property, including  
12 monies and credits of the owner or owners of such bank,  
13 shall be assessed to the individual owners.

1 Sec. 46. The shares of stock of national, state and  
2 savings banks and of loan and trust companies located in  
3 this state shall be assessed against such bank, loan  
4 or trust company at the place where the same is located.

1 Sec. 47. At the time the assessment is made the  
2 president or other officer of the bank authorized so to

3 do shall furnish to the assessor a statement of the  
4 financial condition of such bank at the close of  
5 business on the last day of December preceding the  
6 assessment and with such further information required  
7 by the provisions of this section, which statement shall  
8 set forth the following facts:

- 9 1. The total amount of the capital stock of such bank.
- 10 2. The amount of its surplus and undivided profits.
- 11 3. The amount of dividends and the percentage basis  
12 thereof declared and paid during the calendar year preceding  
13 the assessment.
- 14 4. The amount of deposits subject to check and due on  
15 certificates of deposit in separate items assessment,  
16 and the average deposits for each month of the calendar  
17 year next preceding the assessment,
- 18 5. Money on hand, in transit or on  
19 deposit with other solvent banks or other financial  
20 institutions.
- 21 6. The amount of bills receivable and other credits  
22 representing money due or to become due.
- 23 7. All bonds, shares and stocks owned by such bank  
24 together with the actual value thereof.
- 25 8. The highest price at which shares of stock have been sold  
26 during the year.
- 27 9. All real estate, leaseholds, and rights in property  
28 owned by the bank or trust company.

29 10. All other property of every kind including a  
30 schedule of furniture and fixtures of the banking  
31 house and the actual value thereof.

1 Sec. 48. From the knowledge and information derived  
2 from the statement provided for in the preceding  
3 section and from such information as he may obtain  
4 from any other source, the local assessor shall  
5 determine the actual value of the capital stock of  
6 such bank or loan and trust company and shall separately  
7 determine the value of all real estate owned by it and  
8 shall deduct the value of such real estate as so determined  
9 by him from the total amount of the capital stock as  
10 determined by him and the remainder so derived  
11 shall be the assessed value of the stock, and the  
12 local assessor shall enter upon the assessment rolls  
13 the assessed value of both the capital stock and the  
14 real estate against such bank, and loan and trust company,  
15 and the same shall be taxed as other general, personal and  
16 real property of such corporation. Every such bank and loan  
17 and trust company shall be entitled to apportion to the  
18 individual stockholders their proportionate share of the taxes  
19 paid on account of capital stock, and it shall have a lien upon the  
20 stock of an individual stockholder and upon his  
21 interest in any unpaid dividends for the amount of  
22 his proportionate share of such taxes paid. All

23 real estate owned by any such bank and loan and trust  
24 company located in an assessment district other  
25 than that in which the place of business is located,  
26 shall be assessed and taxed the same as other real  
27 estate of the district in which it is located.

1     Sec. 49. The shares of stock of any corporation and the  
2 certificates or other evidences of interest in any trust, organized  
3 under the laws of this state and having its principal place  
4 of business in this state, shall be assessed against  
5 such corporation or trust at the place where the principal  
6 place of business is located, but nothing in this section  
7 contained shall apply to corporations or trusts otherwise  
8 provided for in this Act. It shall be the duty of the president  
9 or other general officer of each corporation and trust subject  
10 to taxation under the provisions of this Section, at the time of  
11 the assessment to furnish to the assessor a statement  
12 showing the condition of the corporation or trust at the  
13 close of business on the last day of December preceding  
14 the assessment, which statement shall set forth the following facts:

15     1. The total amount of the authorized stock of the  
16 corporation, or certificates or other evidences of interest  
17 issued under any trust, together with the par value of  
18 the shares of stock and of such trust certificates or other  
19 evidences of interest if the same have a par value.

20     2. The number of shares of stock and of trust certificates

21 or other evidences of interest issued under any trust  
22 that are outstanding.

23 3. The total amount of cash capital paid in to the corporation  
24 or contributed to such trust.

25 4. A description of all real estate owned by such  
26 corporation or forming a part of the trust estate.

27 5. The amount of monies and credits owned by such corporation  
28 or forming a part of the trust estate.

29 6. Stocks, bonds and shares and trust certificates or other  
30 evidences of interest issued under any such trust, owned or  
31 held as part of the trust estate, and the actual value of the  
32 several items.

33 7. The amount of the indebtedness whether due or to  
34 become due.

35 8. An inventory of all personal property owned by the  
36 corporation or forming a part of the trust estate.

37 9. The date, rate and amount of all dividends declared and the  
38 amount of capital upon which the same were declared.

39 10. The gross and net earnings for the calendar year  
40 previous to the assessment.

41 11. Dividends declared or paid by percentage and amount.

42 12. Surplus and undivided profits earned.

43 13. Dividends on stocks held by the corporation or trust.

44 14. The net surplus and its distribution.

45 15. The amount paid to any officer, trustee, stockholder  
46 or other party in interest during the calendar year preceding

47 the assessment, and the names of the parties receiving the same.

48 16. The highest price paid for stock or for any trust  
49 certificate or other evidence of interest.

50 17. All leaseholds and intangible rights in or to property,  
51 including patents and trade marks and trade names, owned  
52 by such corporation or forming a part of the trust estate.

1 Sec. 50. From the information derived from such  
2 statements and from all other sources the local  
3 assessor shall determine the value of the capital stock of the  
4 corporation and of the interest in trust, and the value of all  
5 real estate owned by such corporation or forming a part  
6 of the trust estate, and from the determined value of the  
7 capital stock or of the interest in trust the assessor  
8 shall deduct the determined value of the real estate owned by the  
9 corporation or forming a part of the trust estate, and the  
10 remainder shall be the value of the capital stock and  
11 interest in trusts, and the capital stock shall be assessed against  
12 the corporation and the interest in trust against the  
13 trust estate at the value so determined. The real estate owned  
14 by such corporation and forming a part of the trust estate  
15 located within the assessment district in which such  
16 corporation or trust shall have its principal office shall be  
17 assessed by the local assessor in the same manner as other real  
18 estate in such assessment district, and other real estate owned  
19 by such corporation or forming a part of the trust estate  
20 shall be assessed in the same manner as other real estate of the

21 assessment district in which it is located.

1     Sec. 51. Every corporation and trust shall pay the taxes  
2 levied upon the assessment made against it, but each such  
3 corporation and trust may apportion to the individual stockholders  
4 and to the individual interests in trust their proportionate  
5 share of the taxes paid on account of shares of stock or  
6 interests in trust and each such corporation and trust shall have  
7 a lien upon the shares of stock or trust certificates or  
8 other evidence of interest, and upon any unpaid dividends  
9 or surplus for the amount of the proportionate share of  
10 such stockholder or interest in trust.

1     Sec. 52. Every corporation organized under the laws  
2 of this state which is engaged in the business of insurance  
3 upon the stock plan shall in addition to making the  
4 statement required of other corporations furnish to  
5 the local assessor in the assessment district in which  
6 it has its principal place of business a copy of its annual report  
7 to the Commissioner of Insurance for the current year.

1     Sec. 53. The provisions of this Act with reference  
2 to the assessment of money loaners, dealers, merchants,  
3 manufacturers, private banks or bankers, national, state and  
4 savings banks, and loan and trust companies, corporations  
5 and trusts, contained in Sections Thirty-nine (39),  
6 Forty (40), Forty-one (41); Forty-two (42), Forty-three (43),  
7 Forty-four (44), Forty-five (45), Forty-six (46), Forty-seven  
8 (47), Forty-eight (48), Forty-nine (49) Fifty (50),

9 Fifty-one (51) are exclusive, and the property, rights in  
10 property and estates of such persons, firms, corporations  
11 and trusts shall not be otherwise assessed or taxed  
12 than as therein provided; and every such person, firm,  
13 corporation and trust shall pay taxes upon the assessment  
14 made against them at the same rate, as other general  
15 property of the taxing district wherein the principal  
16 place of business is located, except that real estate located in  
17 other assessment districts shall pay taxes at the rates established  
18 for the taxing district of the location; and every such person,  
19 firm, corporation or trust shall be subject to the provisions of  
20 this Act, the jurisdiction and powers of the Tax  
21 Commission, county and local assessors, and shall  
22 be subject to all the penalties of this Act and the  
23 taxes shall be payable at the same time and in the  
24 same manner as other taxes, and shall be collectible  
25 by the same proceedings.

1 Sec. 54. Except as otherwise specifically provided, lands  
2 and personal property shall be assessed and taxed in the  
3 assessment district where the same are located, or usually  
4 kept. In the event that lands are located in different assessment  
5 districts or within and without the corporate limits of a city or town  
6 the same shall be assessed by the local assessor of the assessment  
7 district in which the major portion thereof are located, and the  
8 county board of review shall apportion to the different assessment  
9 districts in which such lands are located, the proportionate

10 amount thereof located in each assessment district, and the  
11 same shall be taxed as other real estate within the assessment  
12 district. The tracks, poles and trolley lines and other  
13 fixtures constituting a street railway system and the  
14 mains, conduits and pipes of any gas or water company,  
15 and the lines of any power company, shall be assessed  
16 as a unit and as a part of a single system in the assessment  
17 district in which the principal place of business is located, but  
18 the county board of review shall apportion to the separate  
19 assessment districts in which such property may be located,  
20 the proportionate amount of such assessment as shall represent  
21 the value of such property located in such assessment  
22 districts, and such property shall be taxed in the  
23 separate assessment districts at the same rate as other  
24 property therein. The situs of monies and credits and all  
25 intangible rights in and to property except as otherwise  
26 specifically provided, owned, held and possessed by any citizen  
27 of this State, natural or artificial, for the purpose of  
28 taxation shall be the place of residence of the owner.

1 Sec. 55. Every person, firm, co-partnership, association or  
2 syndicate which shall own and operate any telegraph or telephone  
3 line or plant or system for the transmission of electric energy  
4 within this state shall on or before the first day of May of each year  
5 file with the Secretary of the Tax Commission, a  
6 statement which shall be verified by the oath of some  
7 person authorized to represent such owner, and which

8 statement shall set forth the following facts:

9 1. The number of miles of line owned and operated within and  
10 without this State, with a separate showing as to the lines  
11 leased and operated.

12 2. The average number, size and kind of poles per mile.

13 3. The total number of wire miles of line, and a statement  
14 with reference to the kind and character of its wires.

15 4. The total number of public and private stations in this  
16 state of said system, and the actual value of the equipment  
17 at each station.

18 5. A full and complete schedule of all machinery, equipment  
19 and furniture of its central stations, the location thereof  
20 and the actual value of the machinery, equipment and furniture  
21 of each separate station.

22 6. A schedule of its leasehold interests and all intangible  
23 rights in property and the actual value thereof separately  
24 scheduled.

25 7. The total amount of gross receipts for the year ending at  
26 the close of business on the last day of December previous.

27 8. The operating expense of the business for the year ending  
28 at the close of business on the last day of December previous.

29 9. The gross income derived from the operation of the system  
30 within the State of Iowa for the year ending at the close  
31 of business on the last day of December previous.

32 10. The gross operating expense of the system within the  
33 State of Iowa for the year ending at the close of business on

34 the last day of December previous.

35 11. The gross capital investment within the State of Iowa.

36 12. The authorized capital stock, if any, and the number  
37 of shares and par value thereof.

38 13. The gross amount of all bonds or other evidences of  
39 indebtedness issued.

40 14. All shares and stocks of other corporations held and owned.

41 15. The highest and lowest amount paid for its shares  
42 or stocks, or for an interest therein during the year ending at  
43 the close of business on the last day of December previous.

44 16. The gross and percentage amount of dividends declared  
45 and paid during the year ending at the close of business on the  
46 last day of December previous.

47 17. All real estate described by separate tracts, and the  
48 value thereof.

1 Sec. 56. Every person, co-partnership, corporation,  
2 association or syndicate owning and operating any  
3 telephone or telegraph line or plant or system for the  
4 transmission of electric energy within the State of Iowa  
5 which shall fail to file the statements as contemplated by the  
6 preceding section with the Secretary of the Tax Commission,  
7 on or before the first (1) day of May of each year, shall be  
8 subject to a penalty of One Hundred Dollars (\$100.00) for each  
9 day from and after the first (1) day of May that the  
10 owner shall neglect to file such statement, and it shall be the duty  
11 of the Attorney General to enforce such penalty by an

12 action in the name of the State of Iowa on his own relation,  
13 which action shall be commenced and prosecuted in the  
14 Supreme Court of this State and such court is hereby given  
15 original jurisdiction in such action. If any owner of such  
16 telephone or telegraph line or system or plant or system for the  
17 transmission of electric energy shall remove any action to  
18 any Federal court it shall thereby forfeit its right to engage  
19 in business within the State of Iowa.

1 Sec. 57. Upon the receipt of such statements the Tax  
2 Commission shall examine the same and shall have power and  
3 authority to call upon the owner of any telegraph or telephone  
4 system or plant or system for the transmission of electric  
5 energy owned and operated within this state for such other,  
6 further and additional information as in the judgment of  
7 the Tax Commission may be necessary in order to enable it  
8 to justly and fairly appraise the property and rights in property  
9 of the owner of such system within the State of Iowa.

1 Sec. 58. The owner and operator of every such telephone  
2 and telegraph system or plant or system for the transmission  
3 of electric energy shall on or before the first (1) day of  
4 May Nineteen Hundred and Twenty-one (1921) file with  
5 the Secretary of the Tax Commission a map drawn to the  
6 scale of not less than one-quarter ( $\frac{1}{4}$ ) of an inch per  
7 mile of all its lines within the State of Iowa: provided that  
8 if the owner and operator of such telephone or telegraph  
9 system or plant or system for the transmission of electric

10 energy has heretofore filed such a map with the Executive  
11 Council of the State of Iowa it shall not be incumbent on  
12 such owner and operator to prepare a new map. On or  
13 before the first (1) day of May of each year from and after  
14 the passage of this Act the owner and operator of each such  
15 telephone or telegraph system or plant or system for the  
16 transmission of electric energy shall prepare and file  
17 with the Secretary of the Tax Commission a map of like  
18 character which shall show the location of any additions  
19 to the system within the State of Iowa. If such telephone  
20 or telegraph system or plant or system for the transmission  
21 of electric energy is located upon the right of way of any  
22 railroad company operating a line within the State of Iowa,  
23 such telephone or telegraph company or power plant, in lieu  
24 of the map required by the provisions of this Section,  
25 may file with the Secretary of the Tax Commission the  
26 certificate of the chief executive officer of such railroad  
27 with reference to wire mileage of such telephone or  
28 telegraph company upon its right of way.

1 Sec. 59. On or before the first (1) day of May Nineteen  
2 Hundred and Twenty-one (1921) and annually thereafter the  
3 owner and operator of every railroad and interurban railway  
4 within this State shall file with the Secretary of the Tax  
5 Commission a statement verified by the oath of its chief  
6 executive officer, which statement shall show the following facts:

7 1. The total mileage of such railroad or interurban railroad.

8       2. The total mileage of such railroad or interurban railroad  
9 within the State of Iowa, together with the location and  
10 width of its right of way, and such statement shall set forth  
11 separately the main line mileage of such railroad or interurban  
12 railroad and of its switch tracks or other tracks not included  
13 in the main line, and such statement shall set forth the actual  
14 amount of cash capital invested in such line and switch  
15 tracks, and the actual value of reproduction thereof, on  
16 the last day of December preceding.

17       3. The gross earnings of such railroad or interurban  
18 railroad for the year ending at the close of business on the  
19 last day of December preceding.

20       4. The gross operating expenses of such railroad or  
21 interurban railroad for the year ending on the last day  
22 of December preceding.

23       5. All real estate owned and the leasehold interests in  
24 all real estate used and occupied by such railroad or  
25 interurban railway, together with the value thereof.

26       6. All furniture, fixtures and other personal property  
27 owned, used and possessed by such railroad or interurban  
28 railway, other than rolling stock, together with the  
29 actual value thereof.

30       7. The total amount of the authorized capital stock of such  
31 railroad or interurban railway, together with the number of  
32 shares of stock issued and the actual par value thereof.

33       8. The total amount of bonds and other evidences of

34 indebtedness issued by such railway or interurban railway.

35 9. The gross income derived by said railroad or interurban  
36 railroad on business originating or terminating within the  
37 State of Iowa, and the gross expense of operation within the  
38 State of Iowa.

39 10. The average number of cars, engines, or other motive  
40 power used and operated by such railroad or interurban  
41 railway within the State of Iowa during the year ending  
42 with the close of business on the last day of December preceding,  
43 and the actual value thereof.

44 11. The number of cars owned or operated by any freight  
45 or express line and all sleeping cars hauled by such railroad  
46 or interurban railroad within the State of Iowa during the  
47 year ending with the close of business on the last day of December  
48 preceding, and the actual value thereof.

1 Sec. 60. Every person, co-partnership, corporation,  
2 or syndicate engaged in interstate commerce as an express  
3 company or otherwise, shall file with the Secretary of  
4 the Tax Commission at the time set forth in the preceding  
5 section, a statement of like character required from  
6 railroads and interurban railroads.

1 Sec. 61. The Tax Commission shall hold a hearing at its  
2 office at the seat of government commencing on the first  
3 Monday of July, Nineteen Hundred and Twenty-one (1921),  
4 and annually thereafter for the purpose of determining the  
5 actual value of the property of every person, firm, corporation

6 or syndicate engaged in the business of conducting and operating  
7 a telephone, telegraph, power plant, railroad, interurban railway,  
8 express or freight line or sleeping cars, and such hearing shall  
9 be continued from day to day; and the Tax Commission  
10 shall assess the property of every such person, firm, corporation  
11 or syndicate within the State of Iowa, or used, conducted and  
12 operated within the State of Iowa at its true and  
13 actual values and shall certify to the county auditor of each  
14 county the proportionate amount of the property of such  
15 person, firm, corporation or syndicate located within each  
16 separate assessment district in such county, and such person, firm,  
17 corporation or syndicate shall pay the taxes levied upon such  
18 property according to its assessed valuation in each separate  
19 taxing district at the rate levied therein, and such taxes shall  
20 be payable at the same time and in like manner as the taxes  
21 upon the general property within such assessment district, and  
22 the owners of such property shall be subject to the same  
23 penalties as other owners of property for failure to pay such  
24 taxes within the time and manner provided by law.

1 Sec. 62. The property and rights in property of every  
2 person, firm, corporation or syndicate assessable by the Tax  
3 Commission under the provisions of this Act, shall not be  
4 otherwise assessed.

1 Sec. 63. The proportionate values of every telephone,  
2 telegraph, power system and of every railroad and interurban  
3 railroad in each assessment district of this State, and of every

4 common carrier assessable by the Tax Commission shall be  
5 determined by the mileage within each separate assessment  
6 district.

1 Sec. 64. All telegraph and telephone lines operated and  
2 conducted solely as a part of any railroad or interurban  
3 railroad system shall be deemed to be a part of such railroad  
4 or interurban railway system, and shall not be separately  
5 assessed or taxed. For the purposes of assessment and  
6 taxation all cars hauled by any railroad or interurban railway  
7 within this state shall be deemed to be the property of the  
8 railroad or interurban railway hauling and using the same, and  
9 shall be taken into consideration by the Tax Commission in  
10 fixing the assessed valuation of such railroad or interurban  
11 railway, and each such railroad or interurban railway shall be  
12 entitled to apportion to the owner of cars hauled by it within  
13 this state the taxes paid by it upon the valuation of such cars,  
14 and to recover from the owner of such cars the proportionate  
15 amount of taxes paid thereon, which action may be prosecuted in  
16 any district court within the State and may be aided by  
17 attachment.

1 Sec. 65. Every person, firm, corporation or syndicate owning  
2 and operating a telephone or telegraph system or a plant for  
3 the transmission of electric energy, or a railroad or interurban  
4 railway subject to assessment by the Tax Commission, shall  
5 have the right to appear before the Tax Commission by  
6 representation and the Tax Commission, under rules and regu-

7 lations to be established by it, shall hear and consider any  
8 evidence produced before it with reference to the value of any  
9 such telephone or telegraph system, or plant for the transmission  
10 of electric energy, or railroad or interurban railway, and the  
11 Tax Commission shall have power to summon before it any  
12 officer or representative of any corporation or syndicate engaged  
13 in owning and conducting any telephone or telegraph  
14 system, plant for the transmission of electric energy  
15 and any railroad or interurban railway within the State, and  
16 to require the production of books and papers which in its  
17 judgment are necessary for its information in order that it  
18 may truly and fairly appraise the value of the property  
19 and rights in property of any such telephone or telegraph system,  
20 plant for the transmission of electric energy and any  
21 railroad or interurban railway. In the event that the owner  
22 or any officer of the owner of any telephone or telegraph  
23 system or plant for the transmission of electric energy, or of  
24 any railroad or interurban railway shall refuse or neglect  
25 to appear before the Tax Commission when duly summoned  
26 by it or shall fail and neglect to produce any documents or records  
27 required by such Tax Commission, such Tax Commission shall  
28 by an order duly entered fix the actual value of the property  
29 and rights in property of such telephone or telegraph system or  
30 power plant for the transmission of electric energy or  
31 railroad or interurban railway within this State, and shall  
32 increase the value thereof for assessment purposes fifty (50)

33 per centum, and the property and rights in property of such  
34 telephone or telegraph system, power plant for the trans-  
35 mission of electric energy, railroad or interurban railway  
36 shall be taxable upon the basis of the assessment so made.

1     Sec. 66. Every insurance company or association organized  
2 under the laws of any foreign state or country and authorized  
3 by the Commissioner of Insurance to engage in its appropriate  
4 business within the state of Iowa, shall at the time of  
5 filing its report with the Commissioner of Insurance of the  
6 State of Iowa in addition to other fees and charges provided  
7 by law, pay to the Commissioner of Insurance two and one-half  
8 ( $2\frac{1}{2}$ ) per centum of the gross premiums collected by it upon  
9 business within the State of Iowa for the year ending at the  
10 close of business on the last day of December previous,  
11 and the Commissioner of Insurance shall account for such  
12 fund to the Treasurer of State the same as other fees and  
13 funds collected by him. If any insurance company or  
14 association shall fail or neglect to make the payment provided  
15 for in this section it shall be the duty of the Commissioner of  
16 Insurance to cancel the license and authority of such insurance  
17 company or association to engage in business within this state.  
18 The tax imposed under the provisions of this Act shall be a  
19 lien upon any deposit made by such insurance company or  
20 association and upon the failure of any such company or as-  
21 sociation to pay the tax imposed it shall be the duty of the Tax  
22 Commission to certify such failure to the Attorney General who

23 shall commence an original action in the name of the State  
24 of Iowa and upon his own relation in the supreme court of  
25 the State of Iowa, which court is hereby given original  
26 jurisdiction in such proceeding, to condemn any securities  
27 or other deposit made by such insurance company or associa-  
28 tion to the extent of double the amount of the tax due and  
29 payable, and the tax and penalty shall be collected through the  
30 sale of the securities or other deposit. In arriving at the gross  
31 taxable income of any insurance company or association there  
32 shall be deducted the amount of premiums returned to policy  
33 holders by reason of the cancellation of any policy or policies  
34 issued.

1 Sec. 67. If under the provisions of the laws of any other  
2 state an insurance company or association organized under the  
3 laws of this State shall be exempt from taxation then and in  
4 that event any insurance company or association organized  
5 under the laws of such state or country and engaged in business  
6 within the State of Iowa, shall be exempted from taxation to  
7 the same extent and upon the same terms as a company or  
8 association organized under the laws of this state is exempted.

1 Sec. 68. The provisions of this act with reference to the  
2 assessment and taxation of telegraph and telephone systems,  
3 plants for the transmission of electric energy, railroads  
4 and interurban railways, transportation lines and insurance  
5 companies not organized under the laws of this state and con-  
6 tained in sections fifty-four (54), fifty-five (55), fifty-six (56),

7 fifty-seven (57), fifty-eight (58), fifty-nine (59), sixty (60),  
8 sixty-one (61), sixty-two (62), sixty-three (63), sixty-four  
9 (64), sixty-five (65), and sixty-six (66), are exclusive and the  
10 property and rights in property of such telegraph and  
11 telephone systems, plants for the transmission of electric energy,  
12 railroads and interurban railways, transportation lines and  
13 insurance companies and associations not organized under the  
14 laws of this state, and located within this state or used therein  
15 shall not be otherwise assessed or taxed except as in such  
16 sections provided.

1 Sec. 69. Every person, firm, corporation or association  
2 having the possession and control of the property of any non-  
3 resident of this state, or of any person legally incompetent,  
4 which property is located within the state of Iowa, shall be  
5 charged with the duty of listing the same with the local  
6 assessor of the assessment district wherein such property  
7 is located, and all intangible rights in and to property shall be  
8 listed at the place of residence or the principal place of  
9 business of such person, firm, corporation or association,  
10 and such property and rights in property shall be assessed  
11 and taxed at the same rate as like property in the assessment  
12 district wherein the same is located, and wherein the person  
13 having the custody and control of intangible rights in and to  
14 property shall reside.

1 Sec. 70. If the name of the owner of any real estate or personal  
2 property within this state shall be unknown to the local

3 assessor the same shall be entered and listed as against an  
4 unknown owner, and the same shall be taxable as the property  
5 of known owners, and in the event that the taxes thereon are  
6 not paid within the time fixed for the payment of taxes,  
7 the county attorney of the county wherein such property is  
8 located if personal property, shall commence an action entitled  
9 in the name of the state of Iowa on the relation of such county  
10 attorney, in the district court of such county and  
11 service of the notice in such case shall be by publication,  
12 and the district court of the county wherein such property  
13 is located shall have full and complete jurisdiction to  
14 enter judgment in the name of the county for the taxes due  
15 together with the costs of the action, and such personal property  
16 shall be sold under execution for the satisfaction of such  
17 judgment. Taxes levied against the land of unknown owners  
18 shall be enforced and collected in the same manner as taxes  
19 levied upon the land of known owners.

1 Sec. 71. On or before the first (1) day of June in each year,  
2 each county assessor shall certify to the tax commission  
3 the value of all taxable property as equalized by the county and  
4 local boards of review, to the tax commission, and the  
5 tax commission shall forthwith meet for the purpose of determin-  
6 ing the amount of levy that must be made under the pro-  
7 visions of law for the expenses of the state, and shall certify  
8 the amount of the state levy to each county assessor, and  
9 such county assessor shall certify the amount of such levy

10 to the county auditor of his county, and the county auditor of  
11 each county shall enter such levy upon the records of  
12 his office, and the amount of taxes so levied shall be and  
13 remain a preferred lien upon the property upon which the  
14 same are levied. At such meeting the tax commission  
15 shall equalize the value of property of different classes  
16 as between the different counties of the state, and shall  
17 make and enter such order as may be necessary in the premises,  
18 and shall certify the same to such county assessor as may  
19 be required, and such county assessor shall raise or lower  
20 the valuation of property within his county as may be directed  
21 by such order.

1 Sec. 72. All of the provisions of law as the same existed  
2 prior to the passage of this Act, with reference to the duties of  
3 all public officers in connection with the making of levies,  
4 spreading and collection of taxes, time and manner of payment,  
5 penalties for non-payment, not in conflict with the provisions of  
6 this Act are hereby expressly continued.

1 Sec. 73. The county assessor immediately after the first  
2 (1) day of April of each year shall check the tax list of his  
3 county and shall certify to the county attorney of his county  
4 the names of all owners and custodians of personal property, and  
5 of all tangible and intangible rights not assessed as real  
6 estate, who shall not have paid the taxes levied, upon such  
7 personal property and tangible and intangible rights, together  
8 with the amount of taxes due and payable by each such owner or

9 custodian, and it shall be the duty of the county attorney to  
10 commence an action at law in the district court of his county at  
11 the next succeeding term thereof to enforce the payment of such  
12 unpaid taxes, and for any penalty due for the non-payment thereof.  
13 There shall be taxed as a part of the cost of such suit an attorney  
14 fee in favor of the county attorney in the sum of twenty-five  
15 (\$25) dollars. Any judgment for such taxes, penalties  
16 and costs shall be enforced by execution, and the exemption  
17 granted by law against execution shall not prevail or exist  
18 against the execution of such judgment.

1 Sec. 74. All the provisions of the law dealing with the subject of  
2 the assessment of property for taxation and the levy and collection  
3 of taxes, not in conflict with the provisions of this Act, are  
4 hereby expressly continued.

1 Sec. 75. All levies authorized under the provisions of law  
2 as the same existed prior to the passage of this Act are reduced  
3 to twenty-five (25) per cent thereof, so that the amount of taxes  
4 to be collected shall not be greater than would have been  
5 collected had property subject to taxation been continued to  
6 be taxed on one-fourth (1-4) the actual value thereof,  
7 under the levies as the same existed prior to the passage  
8 of this Act.

1 Sec. 76. In so far as the performance of duties imposed  
2 upon the Tax Commission, county and local assessors cannot be  
3 performed until the year Nineteen Hundred and Twenty-Two  
4 (1922), such provisions of this Act are suspended and

5 shall become effective only in connection with the assessment  
6 of property for taxation and the levy and collection of  
7 taxes on the first (1) Monday of January, Nineteen Hundred  
8 and Twenty-Two (1922).

1     Sec. 77. This Act being deemed of immediate importance,  
2 the same shall go into force and effect from and after  
3 its publication in the Daily News, a newspaper of general  
4 circulation published in the City of Des Moines, and in  
5 The Grinnell Herald, a newspaper of general circulation  
6 published in the City of Grinnell, in the manner  
7 and for the time required to make Acts effective upon  
8 publication.