

Senate File 1071
Roorda, Chairman
Krenmer
Bortell
Middelwart
Norland

SENATE FILE 1071

By GALLAGHER, KINLEY, WINKELMAN, TIEDEN,
PRIEBE, VAN GILST, SCOTT, WILLITS,
MILLER of Des Moines, COLEMAN, RODGERS,
GLUBA, HEYING, KENNEDY, BLOUIN, SCHABEN,
POTTER, DODERER, NOLIN, TAYLOR,
SCHWENGELS, JUNKINS, HILL, ORR,
BERGMAN and SHAW

Senate File 1071
Ways and Means—
Van Gilst, Chairman
Burrroughs
Curtis

1364
1-31
Prel 2-15
- Stage Man 3-5
see per 2775 4/4

Passed Senate, Date 2-28-74 (573) Passed House, Date 4-15-74 (1727)

Vote: Ayes 47 Nays 3 Vote: Ayes 90 Nays 0

Approved May 2, 1974

Passed for house amendment 4-19-74 (1457)
46-0

A BILL FOR

- 1 An Act relating to the homestead tax credit.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 Section 1. Section four hundred twenty-five point eleven
- 4 (425.11), subsection two (2), Code 1973, is amended to read
- 5 as follows:
- 6 2. The word, "owner", shall mean the person who holds
- 7 the fee simple title to the homestead, and in addition shall
- 8 mean the person occupying as a surviving spouse or the person
- 9 occupying under a contract of purchase ~~where-it-is-shown-that~~
- 10 ~~not-less-than-one-tenth-of-the-purchase-price-named-in-the~~
- 11 ~~contract-actually-has-been-paid-and~~ which contract has been
- 12 recorded in the office of the county recorder of the county
- 13 in which the property is located, or the person occupying
- 14 the homestead under devise or by operation of the inheritance
- 15 laws where the whole interest passes or where the divided
- 16 interest is shared only by persons related or formerly related
- 17 to each other by blood, marriage or adoption, or the person
- 18 occupying the homestead under a deed which conveys a divided
- 19 interest where the divided interest is shared only by persons
- 20 related or formerly related to each other by blood, marriage

1 or adoption. For the purpose of this chapter the word "owner"
2 shall be construed to mean a bona fide owner and not one for
3 the purpose only of availing himself of the benefits of this
4 chapter. In order to qualify for the homestead tax credit,
5 evidence of ownership shall be on file in the office of the
6 clerk of the district court or recorded in the office of the
7 county recorder at the time the owner files with the assessor
8 a verified statement of the homestead claimed by him as pro-
9 vided in section 425.2.

10 EXPLANATION

11 Under the present law, a person purchasing a homestead
12 under contract must prove that not less than 1/10 of the pur-
13 chase price on the contract has been paid and the contract
14 recorded in the county recorder's office to qualify for a
15 homestead tax credit. This bill strikes the requirement that
16 it be shown that he has paid not less than 1/10 of the purchase
17 price named in the contract and to qualify for a homestead
18 tax credit, he must only show that the contract is filed in
19 the county recorder's office.
20

SENATE FILE 1071
FISCAL NOTE

Date prepared February 20, 1974

Requested by Senator Gallagher.

Prepared in regard to Senate File 1071, An Act relating
to the Homestead Tax Credit. Following is the fiscal effect
in dollars of the legislative proposal as required by Senate
Rule 31.

Senate File 1071 is a bill that provides for the
allowance of the Homestead Credit on homesteads purchased
under contract with less than 10% down.

This bill would increase Homestead Credits approximately
\$300,000 a year.

Source: Department of Revenue

Filed
February 20, 1974

GERRY D. RANKIN
Legislative Fiscal Director

S-2286

1 Amend Senate File 1071, page 2, by adding after
2 line 9 the following:
3 Sec. _____. This Act, being deemed of immediate
4 importance, shall take effect and be in force from
5 and after its publication in The Marion Sentinel,
6 a newspaper published in Marion, Iowa, and The
7 Maquoketa Community Press, a newspaper published
8 in Maquoketa, Iowa.

S-2286 Filed and adopted
February 28, 1974

By POTTER

H-2421

1 Amend Senate File 1071, page 2, by inserting
2 after line 9 the following new section:
3 "Sec. 2. This Act, being deemed of immediate
4 importance, shall take effect and be in force from
5 and after its publication in the Times-Democrat,
6 a newspaper published in Davenport, Iowa, and in the
7 Bettendorf News, a newspaper published in Bettendorf,
8 Iowa."

H-2421 Filed *Hitchman 4/15*
March 6, 1974

By HARVEY of Scott

H-2775

1 Amend Senate File 1071, as amended and passed by
2 the Senate, page 1, by inserting after line 2 the
3 following new section:
4 Sec. _____. Section four hundred twenty-five point
5 two (425.2), Code 1973, is amended to read as follows:
6 425.2 QUALIFYING FOR CREDIT. Any person ~~who~~
7 ~~desires to avail himself of the benefits provided~~
8 ~~hereunder~~ applying for homestead tax credit shall each
9 year on or before July 1 deliver to the assessor, on
10 ~~blank forms to be~~ furnished by the assessor, a veri-
11 fied statement and designation of homestead as claimed
12 ~~by him, and the~~. The assessor shall return said state-
13 ment and designation on July 2 of each year to the
14 county auditor with his a recommendation for allowance
15 or disallowance endorsed thereon. In case the owner
16 of the homestead is in active service in the military,
17 naval, or air forces or nurse corps of this state or
18 of the United States, or is sixty-five years of age
19 or older, or is disabled, such statement and designa-
20 tion may be delivered or filed by any member of the
21 owner's family. The county old-age assistance in-
22 vestigator shall make application for the benefits of
23 this chapter as the agent for and on behalf of persons
24 receiving assistance under chapter 249.
25 Any person sixty-five years of age or older or
26 any person who is disabled may request from the
27 appropriate assessor forms for filing for homestead
28 tax credit. Any person sixty-five years of age or
29 older or who is disabled may complete the form and
30 return it to the appropriate assessor, by ordinary
31 mail.

H-2775 Filed *Adopted as amended*
April 4, 1974 *by 2823, 2867 4/5*

By COMMITTEE ON WAYS AND MEANS
STANLEY of Muscatine, Chairman

H--2867

1 Amend the Committee on Ways and Means Amendment
2 H-2775, to Senate File 1071, as passed by the Senate,
3 line 22, by striking the word "shall" and inserting in
4 lieu thereof the following: "shall may".

H--2867 Filed and adopted By ROORDA of Jasper
April 15, 1974

HOUSE AMENDMENT TO SENATE FILE 1071

1 Amend Senate File 1071, as amended and passed by the Senate,
2 page 1, by inserting after line 2 the following new section:
3 Sec. . Section four hundred twenty-five point two
4 (425.2), Code 1973, is amended to read as follows:
5 425.2 QUALIFYING FOR CREDIT. Any person ~~who desires to~~
6 ~~avail himself of the benefits provided hereunder~~ applying for
7 homestead tax credit shall each year on or before July 1
8 deliver to the assessor, on blank forms to be furnished by the
9 assessor, a verified statement and designation of homestead as
10 claimed by him, and the. The assessor shall return said state-
11 ment and designation on July 2 of each year to the county
12 auditor with his a recommendation for allowance or disallowance
13 endorsed thereon. In case the owner of the homestead is in
14 active service in the ~~military, naval, or air forces or nurse~~
15 ~~corps~~ armed forces of this state or of the United States, or
16 is sixty-five years of age or older, or is disabled, such
17 statement and designation may be signed and delivered or filed
18 by any member of the owner's family. The county old-age
19 assistance investigator commissioner of social services or his
20 designee shall may make application for the benefits of this
21 chapter as the agent for and on behalf of persons receiving
22 assistance under chapter 249.
23 Any person sixty-five years of age or older or any person
24 who is disabled may request from the appropriate assessor forms
25 for filing for homestead tax credit. Any person sixty-five

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1 years of age or older or who is disabled may complete the form
2 and return it to the appropriate assessor, by ordinary mail.

Received from the House
April 17, 1974

Senate concurred 4/19

H--2823

1 Amend the Committee on Ways and Means amendment,
2 H-2775, to Senate File 1071, as passed by the Senate,
3 as follows:
4 1. Lines 16 and 17, by striking the words "military,
5 naval, or air forces or nurse corps" and inserting in
6 lieu thereof the words "~~military, naval, or air forces~~
7 ~~or nurse corps~~ armed forces".
8 2. Line 20, by inserting after the word "be" the
9 words "signed and".
10 3. Lines 21 and 22, by striking the words "county
11 old-age assistance investigator" and inserting in lieu
12 thereof the words "~~county old-age assistance investi-~~
13 ~~gator~~ commissioner of social services or his designee".

H--2823 Filed. *Adopted 4/15*
April 9, 1974

By ROORDA of Jasper