

*See Transportation 5/12 Do Pass 5/12*

HOUSE FILE 2463

Transportation  
Drake, Chairperson  
Robinson  
Tieden

MAY 10 1978

SIFTING CALENDAR

HOUSE FILE 2463

By COMMITTEE ON SIFTING

(Formerly Study Bill 509)

Passed House, Date 5-11-78 (p. 2458) Passed Senate, Date 5-12-78 (p. 1509)

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved 6-20-78

### A BILL FOR

1 An Act relating to the inventory taking of motor fuel and  
2 special fuel gallonage to be sold or dispensed at tax rates  
3 established by House File four hundred ninety-one (491),  
4 Acts of the Sixty-seventh General Assembly, 1978 Session.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*Globe - Gazette 6/26 Marshalltown Times-Republican 6/23  
(p. 2870 H. J.)*

1 Section 1. If House File four hundred ninety-one (491),  
2 as enacted by the Sixty-seventh General Assembly, 1978 Session,  
3 becomes law, a licensed distributor, dealer, user, or unli-  
4 censed retailer having title on July 1, 1978 to motor fuel  
5 or special fuel upon which the excise tax has been paid prior  
6 to such date shall take an inventory of gallonage on hand  
7 as of the close of business June 30, 1978. All inventoried  
8 gallonage sold or dispersed on and after July 1, 1978 shall  
9 be taxed at rates established by House File four hundred  
10 ninety-one (491), Acts of the Sixty-seventh General Assembly,  
11 1978 Session. The distributor, dealer, user or retailer shall  
12 pay to the treasurer of state a one and one-half cent per  
13 gallon tax on motor fuel and a two cent per gallon tax on  
14 special fuel on the gallonage on hand as of June 30, 1978,  
15 such payments representing the margin between the tax paid  
16 on the gallonage prior to July 1, 1978 by the distributor,  
17 dealer, user or retailer and the tax which shall be levied  
18 on sales to the ultimate consumer on and after July 1, 1978.  
19 All those falling within the purview of this legislation shall  
20 report gallonage on hand on forms provided by the department  
21 of revenue and remit the tax due by July 10, 1978. The depart-  
22 ment of revenue shall adopt rules pursuant to chapter seven-  
23 teen A (17A) of the Code as are necessary to carry out the  
24 provisions of this section.

25 Sec. 2. If House File four hundred ninety-one (491), as  
26 enacted by the Sixty-seventh General Assembly, 1978 Session,  
27 becomes law, a licensed distributor, dealer, user or unli-  
28 censed retailer having title on July 1, 1979 to motor fuel  
29 or special fuel upon which the excise tax has been paid prior  
30 to such date shall take an inventory of gallonage on hand  
31 as of the close of business June 30, 1979. All inventoried  
32 gallonage sold or dispersed on or after July 1, 1979 shall  
33 be taxed at rates established by House File four hundred  
34 ninety-one (491), Acts of the Sixty-seventh General Assembly,  
35 1978 Session. The distributor, dealer, user or retailer shall

1 pay to the treasurer of state a one and one-half cent per  
2 gallon tax on motor fuel and special fuel on the gallonage  
3 on hand as of June 30, 1979, such payments representing the  
4 margin between the tax paid on the gallonage prior to July  
5 1, 1979 by the distributor, dealer, user or retailer and the  
6 tax which shall be levied on sales to the ultimate consumer  
7 on or after July 1, 1979. All those falling within the pur-  
8 view of this legislation shall report gallonage on hand on  
9 forms provided by the department of revenue and remit the  
10 tax due by July 10, 1979. The department of revenue shall  
11 adopt rules pursuant to chapter seventeen A (17A) of the Code  
12 as are necessary to carry out the provisions of this section.

13 Sec. 3. This Act, being deemed of immediate importance,  
14 shall take effect and be in force from and after its publica-  
15 tion in the Globe-Gazette, a newspaper published in Mason  
16 City, Iowa and in the Marshalltown Times-Republican, a  
17 newspaper published in Marshalltown, Iowa.

18 EXPLANATION

19 The tax on gasoline and in some instances special fuel  
20 is paid to the state by the person first receiving the fuel  
21 from a refinery or terminal in Iowa. The tax is passed down  
22 the distribution chain until it is ultimately paid by the  
23 final consumer. This bill provides that the tax paid fuel  
24 held in inventory prior to the effective dates of the rate  
25 increases will be subject to the new tax rates. The bill  
26 requires each person other than the final consumer holding  
27 the tax paid fuel in inventory file a one time report with  
28 the Department of Revenue and pay the additional tax.

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LSB 4236H  
bk/rh/8A

HOUSE FILE 2463

AN ACT

RELATING TO THE INVENTORY TAKING OF MOTOR FUEL AND SPECIAL FUEL GALLONAGE TO BE SOLD OR DISPENSED AT TAX RATES ESTABLISHED BY HOUSE FILE FOUR HUNDRED NINETY-ONE (491), ACTS OF THE SIXTY-SEVENTH GENERAL ASSEMBLY, 1978 SESSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. If House File four hundred ninety-one (491), as enacted by the Sixty-seventh General Assembly, 1978 Session, becomes law, a licensed distributor, dealer, user, or unlicensed retailer having title on July 1, 1978 to motor fuel or special fuel upon which the excise tax has been paid prior to such date shall take an inventory of gallonage on hand as of the close of business June 30, 1978. All inventoried gallonage sold or dispersed on and after July 1, 1978 shall be taxed at rates established by House File four hundred ninety-one (491), Acts of the Sixty-seventh General Assembly, 1978 Session. The distributor, dealer, user or retailer shall pay to the treasurer of state a one and one-half cent per gallon tax on motor fuel and a two cent per gallon tax on special fuel on the gallonage on hand as of June 30, 1978, such payments representing the margin between the tax paid

on the gallonage prior to July 1, 1978 by the distributor, dealer, user or retailer and the tax which shall be levied on sales to the ultimate consumer on and after July 1, 1978. All those falling within the purview of this legislation shall report gallonage on hand on forms provided by the department of revenue and remit the tax due by July 10, 1978. The department of revenue shall adopt rules pursuant to chapter seventeen A (17A) of the Code as are necessary to carry out the provisions of this section.

Sec. 2. If House File four hundred ninety-one (491), as enacted by the Sixty-seventh General Assembly, 1978 Session, becomes law, a licensed distributor, dealer, user or unlicensed retailer having title on July 1, 1979 to motor fuel or special fuel upon which the excise tax has been paid prior to such date shall take an inventory of gallonage on hand as of the close of business June 30, 1979. All inventoried gallonage sold or dispersed on or after July 1, 1979 shall be taxed at rates established by House File four hundred ninety-one (491), Acts of the Sixty-seventh General Assembly, 1978 Session. The distributor, dealer, user or retailer shall pay to the treasurer of state a one and one-half cent per gallon tax on motor fuel and special fuel on the gallonage on hand as of June 30, 1979, such payments representing the margin between the tax paid on the gallonage prior to July 1, 1979 by the distributor, dealer, user or retailer and the tax which shall be levied on sales to the ultimate consumer on or after July 1, 1979. All those falling within the purview of this legislation shall report gallonage on hand on forms provided by the department of revenue and remit the tax due by July 10, 1979. The department of revenue shall adopt rules pursuant to chapter seventeen A (17A) of the Code as are necessary to carry out the provisions of this section.

Sec. 3. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Globe-Gazette, a newspaper published in Mason

City, Iowa, and in the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2463, Sixty-seventh General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved June 20, 1978

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ROBERT D. RAY  
Governor