

11 Ways Means 5/20
P. Gen 4/22

FILED MAR 6 1980

SENATE FILE 2298

By COMMITTEE ON WAYS AND MEANS
(FORMER SSB 2226)

Approved 3/4 (p. 738)

Passed Senate, Date 4/17/80 Passed House, Date 4/24/80 (p. 2051)

Vote: Ayes 111 Nays 0 Vote: Ayes 97 Nays 0

Approved May 17 1980

Re-passed Senate 4/25/80 (A. 1700)
42-0

A BILL FOR

1 An Act relating to the taxable status of property.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE AMENDMENT TO SENATE FILE 2298

S-5912

1 Amend Senate File 2298 as follows:
2 1. Page 1, line 22, by striking the word
3 "assessment" and inserting in lieu thereof the words
4 "assessment fiscal".

S-5912 FILED
APRIL 24, 1980

RECEIVED FROM THE HOUSE
Senate concurred 4/25 (p. 1759)

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

4 Sec. 2. Section four hundred forty-one point forty-six
5 (441.46), unnumbered paragraph one (1), Code 1979, is amended
6 to read as follows:

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

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

26 SEC. 6. Chapter four hundred twenty-seven (427), Code
27 1979, is amended by adding the following new sections:

28 NEW SECTION. ~~Taxable property on the tax rolls on July~~
29 ~~first of each year is subject to all property taxes levied~~
30 ~~and payable during the fiscal year.~~ If property which may
31 be exempt from taxation is acquired after July first by a
32 person or the state or any of its political subdivisions and
33 ~~the person or the state or any of its political subdivisions~~
34 ~~files for a tax exemption for the property~~, the exemption
35 shall not be denied allowed for that fiscal year and the

1 person or the state or any of its political subdivisions shall
2 pay the property taxes levied against the property for that
3 fiscal year, and payable in the following fiscal year.
4 However, the seller and the purchaser may designate, by written
5 agreement, the party responsible for payment of the property
6 taxes due.

7 NEW SECTION. All credits for and exemptions from property
8 taxes for which an application is required shall be granted
9 on the basis of eligibility in the fiscal year in for which
10 the application is filed, ~~unless otherwise provided by law.~~
11 If the property which has received a credit or exemption
12 becomes ineligible for the credit or exemption during the
13 fiscal year for which it was granted, the property ~~shall be~~
14 is subject to the taxes in a prorated amount for that part
15 of the fiscal year for which the property was ineligible for
16 the credit or exemption, ~~unless otherwise provided by law.~~

17 EXPLANATION

18 The bill is meant to clarify provisions of the current
19 law, in light of the passage of Senate File 159 by the Sixty-
20 eighth General Assembly, 1979 Session, specifying the condi-
21 tions for determining the taxable status of property. The
22 bill takes effect July first following enactment.

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SENATE FILE 2298

AN ACT

RELATING TO THE TAXABLE STATUS OF PROPERTY.

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

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

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

The assessment date of January 1 is the first date of an assessment year period which constitutes a calendar year commencing January 1 and ending December 31. All property tax statutes providing for tax exemptions or credits and requiring ~~as a prerequisite thereto~~ that a claim be filed, shall be construed to require such the claims to be filed during by July first of the assessment year. ~~In the event that if~~ no claim is required to be filed to procure an

exemption or credit, the status of the property as exempt or taxable on ~~the levy date~~ July first of the fiscal year which commences during the assessment year determines its eligibility for exemption or credit. Any statute requiring proration of property taxes for any purpose shall be for the assessment fiscal year, unless otherwise stated, and such the proration shall be based on the status of the property during the assessment fiscal year.

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

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

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

NEW SECTION. All credits for and exemptions from property taxes for which an application is required shall be granted on the basis of eligibility in the fiscal year in for which the application is filed, ~~unless otherwise provided by law.~~ If the property which has received a credit or exemption becomes ineligible for the credit or exemption during the fiscal year for which it was granted, the property ~~shall be~~ is subject to the taxes in a prorated amount for that part

of the fiscal year for which the property was ineligible for
the credit or exemption, ~~unless otherwise provided by law.~~

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2298, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved 5/17, 1980

ROBERT D. RAY
Governor