

File Passed 4/20 (p. 1591)

FILED MAR 31 1982

SENATE FILE 2297

BY COMMITTEE ON WAYS AND MEANS

(FORMERLY SSB 2240)

Approved (p. 973)

Passed Senate, Date 4-14-82 (p. 1204) Passed House, Date 4-21-82 (p. 1579)

Vote: Ayes 46 Nays 0 Vote: Ayes 96 Nays 0

Approved May 7, 1982

A BILL FOR

1 An Act providing that an assessor shall not list a taxpayer's
2 personal property if the assessor determines that the per-
3 sonal property valuation has not increased to an amount
4 greater than the amount of the credit and the taxpayer
5 has filed a claim for the credit.

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

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SENATE FILE 2297

S-5541

1 Amend Senate File 2297 as follows:

2 1. Page 1, line 6, by inserting after the word
3 "the" the word "reduced".

S-5541 FILED
APRIL 12, 1982

BY C. W. BILL HUTCHINS

Adopted 4/14 (p. 1204)

S. 2297

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1 Section 1. Section 427A.3, Code 1981, is amended to read
2 as follows:

3 427A.3 PROPERTY MUST BE LISTED. The personal property
4 tax credit authorized by this chapter shall does not excuse
5 the taxpayer from listing all personal property as required
6 in chapter 428. However, if the assessment for January 1
7 of any year is less than the credit allowed under section
8 427A.2 and the additional credit allowed under section 427A.9,
9 against the previous year's assessment, the assessor is not
10 required to contact the taxpayer in any succeeding year if
11 the assessor determines that the personal property valuation
12 of the taxpayer will not be greater than the amount of the
13 credit and the taxpayer has a claim on file in the assessor's
14 office. The valuation of ~~such~~ the personal property shall
15 be determined as prescribed in chapter 441, so that the
16 valuations of all personal property in a taxing district shall
17 be known and shall be made a part of the tax list compiled
18 by the county auditor under chapter 443.

19 Sec. 2. Section 427A.4, unnumbered paragraph 2, Code 1981,
20 as amended by Acts of the Sixty-ninth General Assembly, 1981
21 Session, chapter 140, section 1, is amended to read as follows:

22 Each ~~even-numbered~~ year, on or before July 1, ~~the~~ a taxpayer
23 who has not previously filed an application with the assessor
24 shall deliver to the assessor an application for personal
25 property tax credit and state by the affidavit filed in each
26 county where the taxpayer's personal property is situated,
27 that the taxpayer has not claimed a total personal property
28 tax credit in all counties in excess of a total of ten thousand
29 dollars assessed valuation. A claim filed in ~~1980-and-each~~
30 ~~succeeding-even-numbered-year-shall-be~~ 1982 and thereafter
31 is applicable for that the year in which the claim is filed
32 and the succeeding ~~odd-numbered-year~~ years.

33 Sec. 3. Section 427A.4, unnumbered paragraphs 3 and 4,
34 Code 1981, are amended to read as follows:

35 ~~It shall be the duty of the~~ The assessor to shall examine

1 claims for ~~such~~ the credit filed with him in the assessor's
2 office and recommend ~~on each such claim~~ the disallowance
3 ~~thereof where~~ of any claim if it appears that an owner of
4 tangible personal property has attempted to divide the
5 ownership ~~thereof~~ of the property for purpose of obtaining
6 additional credit beyond the amount of ten thousand dollars
7 in a year.

8 If any person fails to make application for the credits
9 provided for under this chapter ~~as herein required~~, ~~he shall~~
10 be the person is deemed to have waived the personal property
11 tax credit ~~for the year in which he failed to make claim~~.

12 Sec. 4. Acts of the Sixty-ninth General Assembly, 1981
13 Session, chapter 140, section 2, is repealed.

14 Sec. 5. Acts of the Sixty-ninth General Assembly, 1981
15 Session, chapter 140, section 3, is amended to read as follows:

16 SEC. 3. Section 428.4, Code 1981, is amended by adding
17 the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. An assessor ~~shall~~ is not be
19 required to contact a taxpayer in ~~odd-numbered years~~ any year
20 for the purpose of listing personal property but each taxpayer
21 shall ~~be required to~~ file a revised listing of personal
22 property with the assessor itemizing any additions or deletions
23 to the listing if the valuation of the taxpayer's personal
24 property will affect the taxpayer's exemption. However, if
25 a taxpayer fails to file a revised listing, where ~~such a~~
26 filing would show an increase in valuation of the taxpayer's
27 personal property, the taxpayer shall only be assessed the
28 taxes and interest due on the property the taxpayer has failed
29 to report.

30 EXPLANATION

31 The bill provides that a taxpayer shall file a claim for
32 the personal property tax credit once and the valuation listed
33 on the claim will be used in future years unless the taxpayer
34 subsequently files an additional claim listing additions or
35 deletions of personal property. The bill also provides that

1 the assessor need not obtain a listing of personal property
2 from a taxpayer where the assessor determines that the
3 taxpayer's personal property valuation does not exceed the
4 amount of the credit. The bill takes effect July 1 following
5 enactment.

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SENATE FILE 2297
FISCAL NOTE

REQUESTED BY SENATOR CRAFT

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 2297 pursuant to Joint Rule 16. S.F. 2297, An Act providing that an assessor shall not list a taxpayer's personal property if the assessor determines that the personal property valuation has not increased to an amount greater than the amount of the credit and the taxpayer has filed a claim for credit.

The bill provides for a one-time filing of claims for the personal property tax credit by taxpayers. The valuation listed on the claim will be used in future years unless the taxpayer subsequently files an additional claim listing additions or deletions of personal property. S.F. 2297 also provides that an assessor need not obtain a listing of personal property from a taxpayer where the assessor has determined that the taxpayer's personal property valuation does not exceed the amount of the credit. S.F. 2297 takes effect July 1 following enactment.

There is minimal fiscal effects from this bill, with some savings in costs to individual counties for processing time.

RECEIVED BY THE SECRETARY OF THE SENATE, APRIL 14, 1982
FILED BY GERRY RANKIN, FISCAL DIRECTOR
APRIL 16, 1982

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SENATE FILE 2297

AN ACT

PROVIDING THAT AN ASSESSOR SHALL NOT LIST A TAXPAYER'S PERSONAL PROPERTY IF THE ASSESSOR DETERMINES THAT THE PERSONAL PROPERTY VALUATION HAS NOT INCREASED TO AN AMOUNT GREATER THAN THE AMOUNT OF THE CREDIT AND THE TAXPAYER HAS FILED A CLAIM FOR THE CREDIT.

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

Section 1. Section 427A.3, Code 1981, is amended to read as follows:

427A.3 PROPERTY MUST BE LISTED. The personal property tax credit authorized by this chapter ~~shall~~ does not excuse the taxpayer from listing all personal property as required in chapter 428. However, if the reduced assessment for January 1 of any year is less than the credit allowed under section 427A.2 and the additional credit allowed under section 427A.9, against the previous year's assessment, the assessor is not required to contact the taxpayer in any succeeding year if the assessor determines that the personal property valuation of the taxpayer will not be greater than the amount of the credit and the taxpayer has a claim on file in the assessor's office. The valuation of ~~such~~ the personal property shall be determined as prescribed in chapter 441, so that the valuations of all personal property in a taxing district shall be known and shall be made a part of the tax list compiled by the county auditor under chapter 443.

Sec. 2. Section 427A.4, unnumbered paragraph 2, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 140, section 1, is amended to read as follows:

Each ~~even-numbered~~ year, on or before July 1, ~~the~~ a taxpayer who has not previously filed an application with the assessor

shall deliver to the assessor an application for personal property tax credit and state by the affidavit filed in each county where the taxpayer's personal property is situated, that the taxpayer has not claimed a total personal property tax credit in all counties in excess of a total of ten thousand dollars assessed valuation. A claim filed in ~~1980 and each succeeding even-numbered year shall be~~ 1982 and thereafter is applicable for ~~that the year in which the claim is filed and the succeeding odd-numbered year years.~~

Sec. 3. Section 427A.4, unnumbered paragraphs 3 and 4, Code 1981, are amended to read as follows:

~~it shall be the duty of the~~ The assessor ~~to shall~~ shall examine claims for ~~such~~ the credit filed ~~with him in the assessor's office~~ and recommend on each such claim the disallowance ~~thereof where of any claim if~~ if it appears that an owner of tangible personal property has attempted to divide the ownership ~~thereof of the property~~ for purpose of obtaining additional credit beyond the amount of ten thousand dollars in a year.

If any person fails to make application for the credits provided for under this chapter ~~as herein required, he shall~~ be the person is deemed to have waived the personal property tax credit ~~for the year in which he failed to make claim.~~

Sec. 4. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 140, section 2, is repealed.

Sec. 5. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 140, section 3, is amended to read as follows:

SEC. 3. Section 428.4, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. An assessor ~~shall~~ is not be required to contact a taxpayer in ~~odd-numbered years~~ any year for the purpose of listing personal property but each taxpayer shall ~~be required to~~ file a revised listing of personal property with the assessor itemizing any additions or deletions to the listing if the valuation of the taxpayer's personal

property will affect the taxpayer's exemption. However, if a taxpayer fails to file a revised listing, where ~~such~~ a filing would show an increase in valuation of the taxpayer's personal property, the taxpayer shall only be assessed the taxes and interest due on the property the taxpayer has failed to report.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2297, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 7, 1982

ROBERT D. RAY
Governor