

Rep. Mason Do Enr 3/13/85 (p. 1324)

Sen. Wagner Mason 4/15/85

SENATE FILE 242

BY SCHWENGELS and TAYLOR

FILED FEB 12 1985

Passed Senate, Date 4-11-85 (p. 1325) Passed House, Date _____
Vote: Ayes 27 Nays 17 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act authorizing a capitol restoration checkoff and a state
2 historical building checkoff from individual or joint in-
3 come tax returns, and providing an effective date.

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

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SF 242

S-3689

SENATE FILE 242

1 Amend Senate File 242 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 56.17, subsection 2, Code
5 1985, is amended by striking the subsection.

6 Sec. 2. Sections 56.18, 56.19, 56.20, 56.21,
7 56.22, 56.23, 56.24, 56.25, 56.26, and 107.16, Code
8 1985, are repealed."

S-3689 Filed April 10, 1985

By RITSEMA

Loss 4/11 (p. 1324)

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1 Section 1. NEW SECTION. 18.175 CAPITOL RESTORATION
2 CHECKOFF.

3 A person who files an individual or joint income tax return
4 with the department of revenue may designate an additional
5 amount to be used for the restoration of the state capitol
6 building. The action taken by a person for the checkoff is
7 irrevocable.

8 Sec. 2. NEW SECTION. 18.176 FUND CREATED.

9 A state capitol restoration fund is created within the
10 office of the treasurer of state to be administered by the
11 director of general services. The department of revenue on or
12 before January 31 of each year shall certify the total amount
13 designated for the state capitol restoration fund on the tax
14 returns due in the preceding calendar year and shall report
15 the amount to the treasurer of state and to the department of
16 general services. The treasurer of state shall credit the
17 amount to the state capitol restoration fund. The amount
18 credited to the fund from the checkoff is appropriated to the
19 department of general services which, with prior approval of
20 the executive council, may be used for capital improvements
21 relating to the restoration of the state capitol building.

22 Sec. 3. NEW SECTION. 18.177 STATE HISTORICAL BUILDING
23 CHECKOFF.

24 A person who files an individual or joint income tax return
25 with the department of revenue may designate an additional
26 amount to be used for capital improvements relating to the
27 state historical building. The action taken by a person for
28 the checkoff is irrevocable.

29 Sec. 4. NEW SECTION. 18.178 HISTORICAL BUILDING FUND
30 CREATED.

31 A state historical building fund is created within the
32 office of treasurer of state to be administered by the direc-
33 tor of general services. The department of revenue on or be-
34 fore January 1 of each year shall certify the total amount
35 designated for the state historical building fund on the tax

1 returns due in the preceding calendar year and shall report
2 the amount to the treasurer of state and the department of
3 general services. The treasurer of state shall credit the
4 amount to the state historical building fund. The amount
5 credited to the fund from the checkoff is appropriated to the
6 department of general services which, with the prior approval
7 of the executive council, may be used for capital improvements
8 relating to the state historical building.

9 Sec. 5. NEW SECTION. 18.179 CHECKOFF PERMISSION.

10 Before a checkoff under section 18.175 or 18.177 is per-
11 mitted, all liabilities on the books of the department of
12 revenue, and accounts identified as owing under section 421.17
13 and the additional political contribution allowed under sec-
14 tion 56.18 shall be satisfied. If the refund due on the
15 return or the payment remitted with the return is insufficient
16 to pay the additional amounts designated by the taxpayer, the
17 amounts so designated with any other amount designated under
18 section 107.16 shall be reduced proportionately to the
19 remaining amount of the refund or the remaining amount
20 remitted with the return. The department of revenue shall
21 adopt rules, pursuant to chapter 17A, to implement sections
22 18.175 through 18.179.

23 Sec. 6. Section 107.16, unnumbered paragraph 1, Code 1985,
24 is amended to read as follows:

25 A person who files an individual or a joint income tax
26 return with the department of revenue under section 422.13 may
27 designate ~~any~~ an additional amount to be paid to the state
28 fish and game protection fund. If the refund due on the
29 return or the payment remitted with the return is insufficient
30 to pay the additional amount designated by the taxpayer ~~to the~~
31 ~~state-fish-and-game-protection-fund~~, the amount designated
32 shall be reduced proportionately with other amounts so
33 designated under chapter 18 to the remaining amount of refund
34 or the remaining amount remitted with the return.

35 Sec. 7. This Act is retroactive to January 1, 1985 for tax

1 years beginning on or after that date.

2 EXPLANATION

3 This bill authorizes a checkoff from the individual or
4 joint income tax returns to be used for restoration of the
5 state capitol building and a checkoff from the individual or
6 joint income tax returns to be used for capital improvements
7 to the state historical building. The bill also creates
8 separate funds for administering the two checkoffs which are
9 subordinate to funds owed under section 421.17 and political
10 contributions under section 56.18.

11 This bill is retroactive to January 1, 1985 for tax years
12 beginning on or after that date.

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REQUESTED BY SEN. SCHWENGELS

SENATE FILE 242

FISCAL NOTE

In compliance with a request a fiscal note for Senate File 242 is hereby submitted pursuant to Joint Rule 17.

Senate File 242 creates a capitol restoration fund and a state historical building fund and permits a person who files an individual or joint income tax return to designate any amount of a refund due on the return to be paid to the capitol restoration fund or to the state historical building fund. Funds contributed to the capitol restoration fund are to be used for restoration of the state capitol building and funds contributed to the state historical building fund are to be used for capital improvements to the state historical building.

Before a taxpayer's designation is effective, all liabilities of the taxpayer on the books of the department of revenue, debts identified under section 421.17, and the additional political contribution allowed under section 56.18, shall be satisfied. The department of revenue shall report the amount designated on the tax return forms to the treasurer of the state and adopt rules to implement the bill. The bill is retroactive to January 1, 1985 for tax years beginning on or after that date.

FISCAL IMPACT: While the bill would generate income to the capitol restoration fund and the state historical building fund, the exact amount taxpayers would elect to designate from their refunds is unknown. A similar checkoff fund for the state fish and game fund generated approximately \$213,000 in 1983 and \$207,000 in 1984, with five to six percent of the taxpayers with refunds contributing to the fund.

Filed February 27, 1985

By DENNIS C. PROUTY, DIRECTOR
LEGISLATIVE FISCAL BUREAU

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