

CHAPTER 144**INCOME TAX CHECKOFFS – IOWA STATE FAIR FOUNDATION – OLYMPICS***H.F. 660*

AN ACT relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax checkoff to support the Iowa state fair foundation and providing for the Act's retroactive applicability and contingent effectiveness.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 173.22, unnumbered paragraphs 1 and 2, Code 1993, are amended to read as follows:

An Iowa state fair foundation is established under the authority of the Iowa state fair board. A foundation fund is created within the state treasury composed of moneys appropriated or available to and obtained or accepted by the foundation. The foundation fund shall include moneys credited to the fund as provided in section 422.12D. The

The foundation may solicit or accept gifts, including donations and bequests. A gift, to the greatest extent possible, shall be used according to the expressed desires of the person providing the gift.

PARAGRAPH DIVIDED. Assets of the foundation shall be used to support foundation activities, including foundation administration, or capital projects or major maintenance improvements at the Iowa state fairgrounds or to property under the control of the board. Foundation moneys may be expended on a matching basis with public moneys appropriated from the general fund of the state or expended on a matching basis by the board from Iowa state fair authority receipts. All interest earned on moneys in the foundation fund or through other foundation assets shall be credited to and remain in the fund. Section 8.33 does not apply to moneys in the fund.

Sec. 2. Section 422.12A, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The income tax return checkoff provided in this section is repealed for tax years beginning on or after January 1, 1994.

Sec. 3. NEW SECTION. 422.12D INCOME TAX CHECKOFF FOR THE IOWA STATE FAIR FOUNDATION.

1. A person who files an individual or a joint income tax return with the department of revenue and finance under section 422.13 may designate one dollar or more to be paid to the Iowa state fair foundation as established in section 173.22. If the refund due on the return or the payment remitted with the return is insufficient to pay the amount designated by the taxpayer to the Iowa state fair foundation, the amount designated shall be reduced to the remaining amount of the refund or the remaining amount remitted with the return. The designation of a contribution to the Iowa state fair foundation under this section is irrevocable.

2. The director of revenue and finance shall draft the income tax form to allow the designation of contributions to the Iowa state fair foundation on the tax return. The department, on or before January 31, shall transfer the total amount designated on the tax form due in the preceding year to the foundation fund created pursuant to section 173.22.

3. The Iowa state fair board may authorize payment from the foundation fund for purposes of supporting foundation activities.

4. The department shall adopt rules to implement this section. However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department of revenue and finance and accounts identified as owing under section 421.17 and the political contribution allowed under section 56.18 shall be satisfied.

Sec. 4. NEW SECTION. 422.12E INCOME TAX RETURN CHECKOFFS LIMITED.

For tax years beginning on or after January 1, 1995, there shall be allowed no more than three income tax return checkoffs on each income tax return. When the same three income

tax return checkoffs have been provided on the income tax return for three consecutive years, the checkoff for which the least amount has been contributed, in the aggregate for the first two tax years and through March 15 of the third tax year, shall be repealed. This section does not apply to the income tax return checkoff provided in section 56.18.

Sec. 5. **RETROACTIVE APPLICABILITY.** Section 3 of this Act, enacting section 422.12D, applies retroactively to January 1, 1993, for tax years beginning on or after that date.

Sec. 6. **CONTINGENT EFFECTIVENESS.** This Act is effective only if legislation providing an annual standing appropriation of \$15,000 or more to Iowa Special Olympics, Incorporated, for Special Olympic programs, is enacted by the Seventy-fifth General Assembly during the 1993 Regular Session.

Approved May 19, 1993

CHAPTER 145

PROPERTY TAX LIMITATION

H.F. 663

AN ACT relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 444.25, subsection 1, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The maximum amount of property tax dollars which may be certified by a county for taxes payable in the fiscal year beginning July 1, 1993, shall not exceed the amount of property tax dollars certified by the county for taxes payable in the fiscal year beginning July 1, 1992, and, except as otherwise provided in section 444.28, the maximum amount of property tax dollars which may be certified by a county for taxes payable in the fiscal year beginning July 1, 1994, shall not exceed the amount of property tax dollars certified by the county for taxes payable in the fiscal year beginning July 1, 1993, for each of the levies for the following, except for the levies on the increase in taxable valuation due to new construction, additions or improvements to existing structures, remodeling of existing structures for which a building permit is required, annexation, and phasing out of tax exemptions, and on the increase in valuation of taxable property as a result of a comprehensive revaluation by a private appraiser under a contract entered into prior to January 1, 1992, or as a result of a comprehensive revaluation directed or authorized by the conference board prior to January 1, 1992, with documentation of the contract, authorization, or directive on the revaluation provided to the director of revenue and finance, if the levies are equal to or less than the levies for the previous year, levies on that portion of the taxable property located in an urban renewal project the tax revenues from which are no longer divided as provided in section 403.19, subsection 2, or as otherwise provided in this section:

Sec. 2. Section 444.25, subsection 2, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The maximum amount in property tax dollars which may be certified by a city for taxes payable in the fiscal year beginning July 1, 1993, shall not exceed the amount in property tax dollars certified by the city for taxes payable in the fiscal year beginning July 1, 1992, and, except as otherwise provided in section 444.28, the maximum amount of property tax dollars which may be certified by a city for taxes payable in the fiscal year beginning July 1, 1994,