

422.13 Return by individual.

1. A resident or nonresident of this state shall make a return, signed in accordance with forms and rules prescribed by the director, if any of the following are applicable:

a. The individual is claimed as a dependent on another person's return and has net income of five thousand dollars or more for the tax year from sources taxable under [this subchapter](#).

b. The net income of a nonresident which is allocated to Iowa pursuant to [section 422.8, subsection 2](#), is one thousand dollars or more for the tax year from sources taxable under [this subchapter](#), unless the nonresident's total net income, as determined under [section 422.5, subsection 3 or 3B](#), does not exceed the appropriate dollar amount listed in [section 422.5, subsection 3 or 3B](#), upon which tax is not imposed. The portion of a lump sum distribution that is allocable to Iowa is included in net income for purposes of determining if the nonresident's net income allocable to Iowa is one thousand dollars or more.

c. A nonresident is subject to the state alternative minimum tax imposed pursuant to [section 422.5, subsection 2](#).

d. The total net income, as determined under [section 422.5, subsection 3 or 3B](#), of a resident of this state is more than the appropriate dollar amount listed in [section 422.5, subsection 3 or 3B](#), upon which tax is not imposed.

2. For purposes of determining the requirement for filing a return under [subsection 1](#), the combined net income of a husband and wife from sources taxable under [this subchapter](#) shall be considered.

3. If the taxpayer is unable to make the return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of the taxpayer.

4. A nonresident taxpayer shall file a copy of the taxpayer's federal income tax return for the current tax year with the return required by [this section](#).

5. a. Notwithstanding [subsections 1 through 4](#) and [sections 422.15](#) and [422.36](#), a partnership, a limited liability company whose members are taxed on the company's income under provisions of the Internal Revenue Code, trust, or corporation whose stockholders are taxed on the corporation's income under the provisions of the Internal Revenue Code may, not later than the due date for filing its return for the taxable year, including any extension thereof, elect to file a composite return for the nonresident partners, members, beneficiaries, or shareholders. Nonresident trusts or estates which are partners, members, beneficiaries, or shareholders in partnerships, limited liability companies, trusts, or S corporations may also be included on a composite return. The director may require that a composite return be filed under the conditions deemed appropriate by the director. A partnership, limited liability company, trust, or corporation filing a composite return is liable for tax required to be shown due on the return.

b. Notwithstanding [subsections 1 through 4](#) and [sections 422.15](#) and [422.36](#), if the director determines that it is necessary for the efficient administration of [this chapter](#), the director may require that a composite return be filed for nonresidents other than nonresident partners, members, beneficiaries or shareholders in partnerships, limited liability companies, trusts, or S corporations.

c. All powers of the director and requirements of the director apply to returns filed under [this subsection](#) including but not limited to the provisions of [this subchapter](#) and [subchapter VI](#) of [this chapter](#).

6. Notwithstanding [subsections 1 through 5](#) and [sections 422.14](#) and [422.15](#), a return is not required by a taxpayer as provided in [section 29C.24](#).

[C35, §6943-f13; C39, §6943.045; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §422.13; 82 Acts, ch 1226, §5, 6]

87 Acts, ch 214, §3; 87 Acts, 1st Ex, ch 1, §4; 87 Acts, ch 196, §1; 88 Acts, ch 1028, §24; 89 Acts, ch 251, §15; 92 Acts, 2nd Ex, ch 1001, §219, 224, 227; 93 Acts, ch 123, §1 - 4; 99 Acts, ch 151, §5, 89; 2000 Acts, ch 1146, §6, 10, 11; 2001 Acts, ch 127, §7, 9, 10; 2007 Acts, ch 186,

§15; 2009 Acts, ch 133, §244, 245; 2009 Acts, ch 179, §132; 2012 Acts, ch 1110, §8; 2014 Acts, ch 1093, §20, 21; 2016 Acts, ch 1095, §4, 14, 15; 2017 Acts, ch 157, §7; 2020 Acts, ch 1062, §94

Referred to in §29C.24, 422.8, 422.9, 422.12G, 422.12H, 422.12I, 422.12K, 422.16, 422.25A, 456A.16

For future strike of subsection 1, paragraph c, effective on or after January 1, 2023, contingent upon meeting certain net general fund revenue criteria, see 2018 Acts, ch 1161, §125, 133, 134

Subsection 6 takes effect April 21, 2016, and applies retroactively to January 1, 2016, for tax years beginning on or after that date; 2016 Acts, ch 1095, §14, 15

Code editor directive applied