

27—13.20(161C) Definition of terms. In addition to the terms defined herein, definitions in 27—10.20(161A) shall apply.

“Actively engaged in farming” means a person who:

1. Inspects the production activities periodically and furnishes at least half of the value of the tools and pays at least half the direct cost of production; or
2. Regularly and frequently makes or takes an important part in making management decisions substantially contributing to or affecting the success of the farm operation; or
3. Performs physical work which significantly contributes to crop or livestock production.

“Family farm corporation” means a corporation:

1. Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related;
2. All of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or family trusts as defined in Iowa Code section 9H.1(10); and
3. Sixty percent of the gross revenues of the corporation over the last consecutive three-year period comes from farming.

“Family farm limited liability company” means a limited liability company which meets all of the following conditions:

1. The limited liability company is founded for the purpose of farming and the ownership of agricultural land in which the majority of the members are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related.
2. All of the members of the limited liability company are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or family trusts.
3. Sixty percent of the gross revenues of the limited liability company over the last consecutive three-year period comes from farming.

“Family farm limited partnership” means a limited partnership which meets all of the following conditions:

1. The limited partnership is formed for the purpose of farming and the ownership of agricultural land in which the general partner and a majority of the partnership interest is held by and the majority of limited partners are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related.
2. The general partner manages and supervises the day-to-day farming operation on the agricultural land.
3. All of the limited partners are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or family trusts.
4. Sixty percent of the gross revenues of the partnership over the last consecutive three-year period comes from farming.

“Family trust” means a trust:

1. In which a majority interest in the trust is held by and the majority of the beneficiaries are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or their spouses and other lineal descendants of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related; and
2. In which all the beneficiaries are natural persons, who are not acting as a trustee or in a similar capacity for a trust, as defined in Iowa Code section 9H.1(10), or persons acting in a fiduciary capacity, or nonprofit corporations; and
3. If the trust is established on or after July 1, 1988, the trust must be established for the purpose of farming and 60 percent of the gross revenues of the trust over the last consecutive three-year period must come from farming.