

February 13, 1970
Place on Calendar

HOUSE FILE 1268

See Ways & Means 3/2, Pass 3/19 By COMMITTEE ON WAYS AND MEANS

Passed House, Date *3-25-70* Passed Senate, Date *3-25-70*

Vote: Ayes *71* Nays *22* Vote: Ayes *43* Nays *17*

Approved *April 10, 1970*

Passed House as amended by Senate

4/1/70

aye 84, nays 21

A BILL FOR

1 An Act relating to taxation of mobile homes, providing for al-
2 location of the proceeds of such tax, and requiring that
3 manufacturers and dealers notify the county treasurer of
4 the sale and delivery of a mobile home.

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

6 Section 1. Section one hundred thirty-five D point twenty-
7 two (135D.22), Code 1966, is hereby amended as follows:

8 1. By striking from line thirteen (13) the words "seven and
9 one-half" and inserting in lieu thereof the word "ten".

10 2. By inserting in line thirteen (13) after the word "cents"
11 the words ", except that if the owner of a mobile home is sixty-
12 five years of age or older and his net income as defined in sec-
13 tion four hundred twenty-two point seven (422.7) of the Code when
14 included with that of his spouse is less than thirty-five hundred
15 dollars per year, the semiannual tax shall be computed by multi-
16 plying the number of square feet of floor space the mobile home
17 contains when parked and in use by seven and one-half cents".

18 Sec. 2. Section one hundred thirty-five D point twenty-four
19 (135D.24), Code 1966, is hereby amended by inserting after the
20 period in line nine (9) the following new sentence:

21 "The current registration plate for each mobile home in use
22 as a residence shall be prominently displayed upon or in the im-
23 mediate vicinity of the entry to such mobile home at all times
24 when the mobile home is not in transit."

25 Sec. 3. Section one hundred thirty-five D point twenty-five

1 (135D.25), Code 1966, is hereby repealed and the following en-
2 acted in lieu thereof:

3 "Seventy-five percent of the tax and penalties collected un-
4 der the provisions of section one hundred thirty-five D point
5 twenty-four (135D.24) of the Code shall be allocated to the
6 school fund of the district in which the mobile home is located,
7 and the remaining twenty-five percent shall be allocated as pre-
8 scribed by section four hundred forty-five point fifty-seven
9 (445.57) of the Code, in the same manner as though they were
10 the proceeds of taxes lexied on real property at the same loca-
11 tion as such mobile home; however, no allocation from the re-
12 maining twenty-five percent shall be made to the school fund."

13 Sec. 4. Chapter one hundred thirty-five D (135D), Code 1966,
14 is hereby amended by adding thereto the following new sections:

15 1. "Mobile home manufacturers and dealers shall, within ten
16 days after any retail sale and delivery of a mobile home, notify
17 the county treasurer of the county in which the point of delivery
18 is located of the sale, the name of the purchaser, the point at
19 which delivery to the purchaser was made, and the serial number
20 and exterior measurements of the mobile home."

21 2. "If the owner of a mobile home is sixty-five years of
22 age or older and his net income as defined in section four hun-
23 dred twenty-two point seven (422.7), of the Code when included
24 with that of his spouse is less than thirty-five hundred dollars
25 per year, the owner may apply for the lower tax rate.

26 The owner may qualify by filing a certified copy of his birth
27 certificate or a delayed birth record and a copy of an Iowa in-
28 come tax return for the most recent taxable year with the county
29 treasurer no later than thirty days previous to the date the
30 semiannual tax becomes due and payable. The initial filing of
31 the certified copy of the birth certificate or a delayed birth
32 record shall waive this requirement for all future filings."

EXPLANATION

This bill increases the present tax on mobile homes less than five years old from seven and one-half cents per square foot semi-annually to ten cents per square foot semiannually. Manufacturers and dealers delivering new mobile homes to purchasers in Iowa are required to notify the county treasurer of the sale and provide pertinent information regarding the purchaser and the mobile home.

The bill also allocates 75 percent of the revenue from mobile home taxes to the school fund and the remaining 25 percent to the various tax certifying bodies in the area where the mobile home from which the tax is derived is located, in the same manner as if the money were received from real property taxes, however, no allocation from the remaining 25 percent is to be made to the school fund.

The bill also provides a lower rate for persons age sixty-five or older with a net income of less than \$3,500.

- 1 Amend House File 1268 by inserting on page 2, after line
- 2 32 the following new sections:
- 3 3. "Every manufacturer of a mobile home sold or
- 4 offered for sale within this state, either by the manu-
- 5 facturer, distributor, dealer, or any other person, shall
- 6 not later than September first of each year, file a statement
- 7 in the office of the department of public safety showing the
- 8 various models manufactured by him, and the retail list price.
- 9 He shall also make the same report on subsequent new models
- 10 manufactured. For the purposes of this chapter, the retail
- 11 list price shall be the suggested retail price f.o.b. the
- 12 factory including the price of any fixtures permanently installed in or
- 13 attached to the mobile homes, less the price of any household
- 14 goods or furnishings."
- 15 4. "No mobile home shall be registered in this state
- 16 unless the manufacturer thereof has furnished to the depart-
- 17 ment the statement giving the retail list price of the mobile
- 18 home except as otherwise provided
- 19 The department shall determine the retail list price on
- 20 all makes and models of mobile homes which are not now being
- 21 furnished or where the factory does not have records available
- 22 to provide such retail list price.
- 23 Any mobile home manufactured prior to January 1, 1955
- 24 shall have a retail list price as determined by the department."
- 25 5. "The department shall prepare a report of all the
- 26 different makes and models of mobile homes, statements of which
- 27 have been filed in the office by the manufacturers, together
- 28 with the retail list price."
- 29 Sec. 5. Every mobile home manufacturer shall, not later
- 30 than September 1, 1970, file a sworn statement with the depart-
- 31 ment of public safety stating the various models manufactured
- 32 by him after January 1, 1955 and the retail list price for and
- 33 number of square feet of floor space in each mobile home at the
- 34 time such mobile home was offered for sale.

Filed - *Adopted 2-25*
February 24, 1970

DUNTON of Keokuk
COCHRAN of Webster

- 1 Amend House File 1268 as follows:
2 1. Page 1, line 12, by striking the words, "net income as ^{Lost}
3 defined in sec-" and all of line 13, and inserting in lieu thereof ²⁻²⁵
4 the words: "total gross income when".
5 2. Page 2, line 22, by striking the words "net income as
6 defined in section four hun-" and all of line 23, and inserting
7 in lieu thereof the words: "total gross income when included".

Filed - ^{Lost 2-25}
February 24, 1970
In: Ways and Means

FREEMAN of Buena Vista

- 1 Amend House File 1268 by striking from page 1 all of
2 lines 18 through 24.

Offered from the floor and adopted
February 24, 1970

BAKER of Boone

- 1 Amend House File 1268 as follows:
2 1. Page 1, section 2, line 14, by striking the word "thirty-five"
3 and inserting in lieu thereof "forty-two".
4 2. Page 2, section 4, subsection 2, line 24, by striking the
5 word "thirty-five" and inserting in lieu thereof "forty-two".

Offered from the floor and lost
February 25, 1970

HANSEN of Black Hawk

SENATE AMENDMENT TO HOUSE FILE 1268

- 1 Amend House File 1268, as amended and passed by the House, as
2 follows:
3 1. Page 1, line 13, by inserting after the word "Code" the
4 following: ", plus interest and dividends from federal
5 securities and income from social security and other tax-
6 exempt retirement or pension plans,".
7 2. Page 2, line 23, by inserting after the word "Code" the
8 following: ", plus interest and dividends from federal
9 securities and income from social security and other tax-
10 exempt retirement or pension plans,".
11 3. Page 2, line 30, by inserting after the period the
12 following sentence: "The treasurer shall make a determination
13 of eligibility of the applicant to qualify for the lower tax
14 rate and thereafter seal the income tax return, and shall hold
15 the information confidential, except as it may be required as
16 evidence to disallow the credit."
17 4. Page 2, line 10, by striking the word "law" and inserting in
18 lieu thereof the following: "chapter one hundred thirty-five D
19 (135D) of the Code".

Received from the Senate
March 25, 1970

*House
concerned
4/1*

See I

1 Amend House File 1286 as follows:

2 1. Page 1, by striking lines 6 through 17, inclusive, and
3 inserting in lieu thereof the following:

4 Section 1. Section one hundred thirty-five D point
5 twenty-two (135D.22), Code 1966, is hereby amended by striking
6 subsection one (1) and inserting in lieu thereof the following:

7 "Multiply the number of square feet of floor space each
8 mobile home contains when parked and in use by two and one-
9 half cents plus one percent of the value of the mobile home.
10 In computing floor space the exterior measurements of the
11 mobile home shall be used as shown on the certificate of
12 registration and title, but not including any area occupied
13 by any hitching device. The value of a mobile home shall
14 be fixed at the retail list f.o.b. the factory, in-
15 cluding the price of any equipment or fixtures installed in
16 or attached to the mobile home as a component thereof, but
17 not including the price of any item classified as furniture

18 which is readily removable from the mobile home without the
19 necessity of disconnecting any plumbing or similar mechanical
20 connections. If the owner of a mobile home is sixty-five
21 years of age or older and his net income as defined in section
22 four hundred twenty-two point seven (422.7) of the Code when
23 included with that of his spouse is less than thirty-five
24 hundred dollars per year, the semiannual tax shall be computed
25 by multiplying the number of square feet of floor space the
26 mobile home contains when parked and in use by seven and one-
27 half cents."

28 2. Page 2, after line 32, insert the following:

29 (3) "Every manufacturer of a mobile home sold or offered
30 for sale within this state, either by the manufacture,
31 distributor, dealer, or any other person, shall, not later
32 than September first of each year, file a statement in the
33 office of the department of public safety showing the various
34 models manufactured by him, and the retail list price. He
35 shall also make the same report on subsequent new models
36 manufactured.

37 No mobile home shall be registered in this state unless
38 the manufacturer thereof has furnished to the department the
39 statement giving the retail list price of the mobile home
40 except as otherwise provided.

41 The department shall determine the retail list price
42 on all makes and models of mobile homes which are not now
43 being furnished or upon which the statement from the factory
44 cannot be obtained.

45 The department shall annually prepare a report of all the
46 different makes and models of mobile homes, statements of
47 which have been filed in the office by the manufacturers,
48 together with the retail list price. Copies of such state-
49 ment shall be furnished each county treasurer.

50 Any mobile home manufactured prior to January 1, 1955
51 shall have a retail list price as determined by the depart-
52 ment.

See II

53 (4) Every manufacturer of a new mobile home offered
54 for sale in this state by a manufacturer, distributor,
55 dealer, or any other person shall display a sticker on the
56 mobile home. The sticker shall be eight and one-half inches by
57 eleven inches and shall be displayed on the entrance to the
58 mobile home. The sticker shall list the retail list price
59 f.o.b. the factory, the retail list price of all furniture
60 in the mobile home, and other costs which will be assessed to

*Reconsidered
and lost 2-24*

*Reconsidered
and lost 2-24*

*Reconsidered
and
Withdrawn
2-25*

61 the purchaser such as transportation, handling, or such other
62 costs, and the annual tax payable under law for such mobile
63 home. The sticker shall also state the number of square
64 feet of floor space in the mobile home.

65 Sec. 5. Every mobile home manufacturer shall, not later
66 than September 1, 1970, file a sworn statement with the de-
67 partment of public safety stating the various models manu-
68 factured by him after January 1, 1955 and the retail list
69 price for and number of square feet of floor space in each

70 model at the time such mobile home was offered for sale.

71 Sec. 6. This Act being deemed of immediate importance shall
72 be in full force and effect from and after its final approval
73 and publication in The Sigourney News-Review, a newspaper

74 at Sigourney, Iowa, and North English Record, a newspaper
published

75 at North English, Iowa.

Filed - *adopted with exception above 2-24, reconsidered 3-25*
February 18, 1970

DUNTON of Keokuk

*Law
2-24*

FISCAL NOTE

Date prepared March 16, 1970

Requested by Senator Davis.

Prepared in regard to House File 1268, as passed by the House, a bill for an act relating to taxation of mobile homes, providing for allocation of the proceeds of such tax, and requiring that manufacturers and dealers notify the county treasurer of the sale and delivery of a mobile home.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 31.

The total mobile home tax receipts collected by all the counties amounted to \$1,668,288.08 for the calendar year 1968. This is the most current information available and was obtained from the State Auditor's office. Based on these collections, it is estimated that a 33 $\frac{1}{3}$ percent increase will raise approximately an additional \$550,000 per year.

It is not possible to estimate the effect of allowing a lower tax rate to mobile home owners sixty-five years of age or older with less than \$3,500 income.

GERRY D. RANKIN
Legislative Fiscal Director

1 Amend House File 1268 by striking everything after page 2, line 32.

Filed - *Withdrawn 3/25*
March 19, 1970

By COMMITTEE ON WAYS AND MEANS

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- 1 Amend House File 1268, as passed by the House, page 2,
2 by inserting after the period in line 30 the following
3 sentence:
4 "The treasurer shall make a determination of eligibility
5 of the applicant to qualify for the lower tax rate and
6 thereafter seal the income tax return, and shall hold the
7 information confidential, except as it may be required as
8 evidence to disallow the credit."

Filed and adopted
March 25, 1970

By OLLENBURG

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- 1 Amend House File 1268, as passed by the House, as follows:
2 1. Page 3, line 10, by striking the word "law" and in-
3 serting in lieu thereof the words "chapter one hundred thirty-
4 five D (135D) of the Code".
5 2. Page 3, by striking all of lines 13 through 18 inclu-
6 sive.

Filed, division 1 adopted, division 2 lost
March 25, 1970

By BALLOUN

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- 1 Amend House 1268 as follows:
2 1. Page 1, line 13, by inserting after the word "Code"
3 the following words: ", plus interest and dividends from
4 federal securities and income from social security and other
5 tax-exempt retirement or pension plans,".
6 2. Page 2, line 23, by inserting after the word "Code"
7 the following words: ", plus interest and dividends from
8 federal securities and income from social security and other
9 tax-exempt retirement or pension plans,".

Filed and adopted
March 25, 1970

By POTGETER