

See Appropriation 5/22, Page 5/31
See Appropriation - Res a/w H-754 2/12

SENATE FILE 571

FILED MAY 22 1973

BY COMMITTEE ON WAYS AND MEANS

Senate File 571
Potter, Chairman
Shaff
Willits

Substituted for # 7, 730 6/13

Passed Senate, Date 6-1-73 (1515) Passed House, Date 6-13-73 (1912)

Vote: Ayes 58 Nays 6 Vote: Ayes 89 Nays 8

Approved 7-13-73

Passed Senate as amended by House
6-21-73 (1962)
38-7

Motion to reconsider filed 4/13 (1913)
Motion withdrawn 4/18 (2051)
do 4/14 (2071)

A BILL FOR

1 An Act to grant a credit for all livestock valued and assessed
2 on January 1, 1973, for which taxes would otherwise be due
3 in 1974 and succeeding years and making an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Chapter four hundred twenty-seven (427), Code
2 1973, is amended by adding the following new section:

3 NEW SECTION.

4 1. There is granted a tax credit for property described
5 in section four hundred twenty-seven point thirteen (427.13),
6 subsections two (2) and three (3) of the Code, as assessed
7 for taxation as of January 1, 1973.

8 2. A tax credit shall be allowed each taxing district
9 in the state for each head of livestock that was assessed
10 as of January 1, 1973. The tax credit shall commence and
11 be effective for the extended tax year beginning January 1,
12 1974, and ending June 30, 1975, and each year thereafter based
13 upon the livestock assessed as of January 1, 1973.

14 3. On or before January 15, 1974, and on or before July
15 15, 1975, and each succeeding year, the county auditor of
16 each county shall prepare a statement listing for each tax-
17 ing district in the county the taxable values of all live-
18 stock assessed for taxation as of January 1, 1973. The state-
19 ment shall also show the current tax rates of the various
20 taxing districts and the total amount of taxes which will
21 not be collected due to this credit. The county auditor shall
22 certify and forward the statement to the director of revenue
23 not later than January 31, 1974, and not later than July 31,
24 1975, and July thirty-first of each succeeding year. The
25 director of revenue shall compute the applicable tax credit
26 and certify to the state comptroller the amount due to each
27 taxing district, which amount shall be the dollar amounts
28 which would be payable if all livestock assessed were taxed,
29 based upon those assessed as of January 1, 1973.

30 4. The amounts due each taxing district shall be paid
31 on warrants payable to the respective county treasurers in
32 two equal payments by the state comptroller on March fif-
33 teenth and September fifteenth of each year with the first
34 payment starting March 15, 1974. The county treasurer shall
35 apportion the proceeds to the various taxing districts in

1 the county.

2 5. For the fiscal year beginning July 1, 1973, and end-
3 ing June 30, 1974, and for the fiscal year beginning July
4 1, 1974, and ending June 30, 1975, only, in the event that
5 the amount appropriated for reimbursement of the taxing dis-
6 tricts is insufficient to pay in full the amounts due to each
7 of the taxing districts, then the amount of each payment shall
8 be reduced by the director of revenue according to the ratio
9 that the total amount of funds to be paid to each taxing dis-
10 trict bears to the total amount to be paid of all taxing dis-
11 tricts in the state.

12 Sec. 2. There is appropriated from the general fund of
13 the state to the state comptroller for the fiscal year be-
14 ginning July 1, 1973, and ending June 30, 1974, the sum of
15 four million (4,000,000) dollars, or so much thereof as may
16 be necessary, and for the fiscal year beginning July 1, 1974,
17 and ending June 30, 1975, the sum of eight million (8,000,000)
18 dollars, or so much thereof as may be necessary to carry out
19 the provisions of this Act.

20 For the fiscal year beginning July 1, 1975, and ending
21 June 30, 1976, and each succeeding fiscal year there is ap-
22 propriated from the general fund of the state to the state
23 comptroller an amount sufficient to carry out the provisions
24 of this Act.

25 EXPLANATION

26 This bill grants a full credit for the tax levied on live-
27 stock. This permits local government units to maintain their
28 tax base.

29
30
31
32
33
34
35

LSB 1789
bk/jw/3

SENATE FILE 571

H-757

1 Amend the Stanley et al. amendment, H-722, to
2 Senate File 571, as amended and passed by the Senate,
3 as follows:

4 1. By striking lines 5 through 18.
5 2. By striking lines 19 through 21 and inserting
6 in lieu thereof the following:

7 Sec. 2. Section four hundred twenty-seven point
8 thirteen (427.13), subsections two (2) and three
9 (3), Code 1973, are amended to read as follows:

10 2. Horses, cattle, mules and asses over one year
11 of age shall be subject to taxation only to the ex-
12 tent that appropriations by the general assembly
13 are insufficient to finance the tax credit provided
14 for by this Act. However, for the purposes of the
15 personal property tax imposed on cattle, bovine
16 females three years of age or older shall be exempt
17 subject to taxation only to the extent that
18 appropriations by the general assembly are
19 insufficient to finance the tax credit provided for
20 by this Act.

21 ~~A tax credit shall be allowed each taxing district~~
22 ~~for each bovine female that was assessed as a three-~~
23 ~~year old, or older, as of January 1, 1970. Such~~
24 ~~tax credit shall commence for the tax year 1971 and~~
25 ~~each year thereafter based upon those assessed as~~
26 ~~of January 1, 1970.~~

27 3. Sheep and swine over nine months of age shall
28 be subject to taxation only to the extent that appro-
29 priations by the general assembly are insufficient
30 to finance the tax credit provided for by this Act.

31 3. Line 32, by striking the word "not".

32 4. Line 34, by inserting after the word "tax"
33 the words "only to the extent that appropriations
34 by the general assembly are insufficient to finance
35 the tax credit provided for in this Act".

36 5. Line 37, by inserting after the figure "1973"
37 the words "and each January first thereafter".

38 6. Line 40, by inserting after the figure "1973"
39 the words "and each January first thereafter".

40 7. Line 41, by inserting after the figure "1974"
41 the words "and January fifteenth of each year there-
42 after".

43 8. Line 45, by inserting after the figure "1973"
44 the words "and each January first thereafter".

45 9. Line 49, by inserting after the figure "1973"
46 the words "and each January first thereafter".

47 10. Line 52, by inserting after the figure "1974"
48 the words "and January fifteenth of each year there-
49 after".

50 11. Line 58, by inserting after the figure "1973"
51 the words "and each January first thereafter".

H-762

1 Amend the Stanley et al. amendment H-722 to
2 Senate File 571, as passed by the Senate, as follows:
3 1. Line 21, by inserting after the numeral "(3)"
4 the following: "and section four hundred twenty-
5 eight point seventeen (428.17)".
6 2. Line 31 by inserting after the word "livestock"
7 the following: "and all stocks or merchandise".
8 3. Line 33 by inserting after the word
9 "livestock" the following: "and all stocks of
10 merchandise".
11 4. Line 36 by inserting after the word
12 "livestock" the following: "and all stocks of
13 merchandise".
14 5. Line 39 by inserting after the word
15 "livestock" the following: "and all stocks of
16 merchandise".
17 6. Line 44 by inserting after the word
18 "livestock" the following: "and all stocks of
19 merchandise".
20 7. Line 49 by inserting after the word
21 "livestock" the following: "and all stocks of
22 merchandise".
23 8. Line 56 by inserting after the word
24 "livestock" the following: "and all stocks of
25 merchandise".
26 9. Line 78 by inserting after the word
27 "livestock" the following: "and all stocks of
28 merchandise".
29 10. Line 83 by inserting after the word
30 "livestock" the following: "and all stocks of
31 merchandise".
32 11. By striking lines 95 and 96 and inserting
33 in lieu thereof the following: "the words "grant a
34 credit for all livestock" and inserting in lieu
35 thereof the words "exempt from taxation all livestock
36 and stocks of merchandise".

H-762 Filed, ruled not By HARVEY of Scott
germane and withdrawn *Reconsidered* WEST of Marshall
June 13, 1973 *and withdrawn 6/13*

H-745

1 Amend Senate File 571 as follows:
2 1. Page 2, line 6, by inserting after the
3 figure "(3)" the words "and section four hundred
4 twenty-eight point seventeen (428.17)".
5 2. Page 2, line 9, by inserting after the word
6 "livestock" the words "and all stocks of merchandise".
7 3. Page 2, line 13, by inserting after the word
8 "livestock" the words "and stocks of merchandise".
9 4. Page 2, line 18, by inserting before the
10 word "assessed" the words "and stocks of merchandise".
11 5. Page 2, line 28, by inserting after the
12 word "livestock" the words "and stocks of merchandise".
13 6. Amend the title, page 1, line 1, by inserting
14 after the word "livestock" the words "and stocks of
15 merchandise".

H-745 Filed *7.2.6/13*
June 11, 1973

By HARVEY of Scott

1 Amend Senate File 571, as amended and passed by the
2 Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting in lieu thereof the following:

5 Section 1. Section four hundred twenty-seven point
6 one (427.1), subsection thirteen (13), Code 1973, is
7 amended to read as follows:

8 13. AGRICULTURAL PRODUCE. Growing agricultural
9 and horticultural crops and products, except commercial
10 orchards and vineyards, and all horticultural and
11 agricultural produce harvested by or for the person
12 assessed within one year previous to the listing, all
13 wool shorn from his sheep within such time, all poultry,
14 ten stands of bees, honey and beeswax produced during
15 that time and remaining in the possession of the pro-
16 ducer, ~~all swine and sheep under nine months of age,~~
17 and all ~~other livestock and fur-bearing animals under~~
18 ~~one-year-of-age.~~

19 Sec. 2. Section four hundred twenty-seven point
20 thirteen (427.13), Code 1973, is amended by striking
21 subsections two (2) and three (3).

22 Sec. 3. Acts of the General Assembly, 1970 Session
23 of the Sixty-third General Assembly, Chapter twelve
24 hundred five (1205), Section twenty-two (22), is
25 repealed.

26 Sec. 4. Chapter four hundred twenty-seven (427),
27 Code 1973, is amended by adding the following new
28 section:

29 NEW SECTION.

30 1. The personal property tax levied on all
31 livestock assessed for taxation as of January 1, 1973,
32 shall not be collected in 1974, or any subsequent
33 year, from the owners of the livestock or from those
34 having liability for the payment of the tax.

35 2. A tax credit shall be allowed each taxing
36 district in the state for each head of livestock that
37 was assessed as of January 1, 1973. The tax credit
38 shall commence and be effective for the tax year 1974
39 and each year thereafter based upon the livestock
40 assessed as of January 1, 1973.

41 3. On or before January 15, 1974, the county
42 auditor of each county shall prepare a statement
43 listing for each taxing district in the county the
44 assessed or taxable values of all livestock assessed
45 for taxation as of January 1, 1973. The statement
46 shall also show the tax rates of the various taxing
47 districts and the total amount of taxes which in the
48 absence of this Act would have been levied upon
49 livestock assessed as of January 1, 1973. The county
50 auditor shall certify and forward copies of the

51 statement to the director of revenue not later than
52 January 15, 1974. The director of revenue shall
53 compute the applicable tax credit and certify to the
54 state comptroller the amount due to each taxing
55 district, which amount shall be the dollar amount
56 which would be payable if all livestock so assessed
57 were taxed, based upon those assessed as of January
58 1, 1973.

59 4. The amounts due each taxing district shall
60 be paid on warrants payable to the respective county
61 treasurers in two equal payments by the state
62 comptroller on March fifteenth and September fifteenth
63 of each year with the first payment starting March
64 15, 1974. The county treasurer shall apportion the
65 proceeds to the various taxing districts in the county.

66 5. In the event that the amount appropriated for
67 reimbursement of the taxing districts is insufficient
68 to pay in full the amounts due to each of the taxing
69 districts, then the amount of each payment shall be
70 reduced by the director of revenue according to the
71 ratio that the total amount of funds to be paid to
72 each taxing district bears to the total amount to
73 be paid to all taxing districts in the state.

74 Sec. 5. Section four hundred forty-two point two
75 (442.2), Code 1973, is amended by adding the following
76 new unnumbered paragraph:

77 NEW UNNUMBERED PARAGRAPH. The amount paid to each
78 school district for the tax credit for livestock under
79 this Act shall be regarded as property tax. The
80 portion of the payment which is foundation property
81 tax shall be determined by applying the foundation
82 property tax millage rate to the taxable value of
83 livestock assessed for taxation in the district as
84 of January 1, 1973, determined pursuant to this Act.

85 Sec. 6. NEW SECTION. There is appropriated from
86 the general fund of the state of Iowa to the state
87 comptroller for the fiscal year beginning July 1,
88 1973, and ending June 30, 1974, the sum of four million
89 (4,000,000) dollars, or so much thereof as may be
90 necessary, and for each succeeding fiscal year the
91 sum of eight million (8,000,000) dollars, or so much
92 thereof as may be necessary, to carry out the
93 provisions of section four (4) of this Act.

94 2. Amend the title, page 1, line 1, by striking
95 the words "grant a credit for" and inserting in lieu
96 thereof the words "exempt from taxation".

H-722 Filed - *Adopted 4/15*
June 7, 1973 *Reconsidered and*
Adopted 6/13

By STANLEY of Muscatine
GRASSLEY of Butler
DEN HERDER of Sioux
HOLDEN of Scott
COCHRAN of Webster
ROORDA of Jasper
DUNTON of Keokuk
KREAMER of Polk
BENNETT of Ida

H-723

1 Amend Senate File 571, as amended and passed by the
2 Senate, as follows:
3 1. Page 2, line 9, by inserting after the figure
4 "1973" the words "and bovine females three years of
5 age or older that were assessed as of January 1,
6 1970".
7 2. Page 2, line 12, by inserting after the figure
8 "1973" the words "and bovine females three years of
9 age or older that were assessed as of January 1,
10 1970".
11 3. Page 2, line 15, by inserting after the figure
12 "1973" the words "and bovine females three years of
13 age or older that were assessed as of January 1,
14 1970".
15 4. Page 2, line 20, by inserting after the figure
16 "1973" the words "and bovine females three years of
17 age or older that were assessed as of January 1,
18 1970".
19 5. Page 2, line 31, by inserting after the figure
20 "1973" the words "and bovine females three years of
21 age or older that were assessed as of January 1,
22 1970".

H-723 Filed - *H. D. 6/13*
June 7, 1973

By TOFTE of Winneshiek

H-731

1 Amend Senate File 571, as amended and passed by the
2 Senate, as follows:
3 1. Page 2, line 13, by striking the word
4 "extended".
5 2. Page 2, line 14, by striking the word and
6 figures "June 30, 1975" and inserting in lieu thereof
7 the word and figures "December 31, 1974".
8 3. Page 2, lines 16 and 17, by striking the words
9 and figures ", and on or before July 15, 1975,".
10 4. Page 2, lines 25 and 26, by striking the words
11 and figures ", and not later than July 31, 1975, and
12 July thirty-first" and inserting in lieu thereof the
13 words "and January thirty-first".

H-731 Filed - *H. D. 6/13*
June 8, 1973

By BITTLE of Polk

H-759

1 Amend the Stanley, et al. amendment H-722 to
2 Senate File 571, as passed by the Senate, by inserting
3 after the word "livestock" in line 17 the following:
4 "except that the tax credit on cattle shall apply only
5 to five hundred cattle over one year old per taxpayer".

H-756 Filed and lost
June 13, 1973

By HOWELL of Floyd
PATCHETT of Johnson
MILLER of Cerro Gordo
MONROE of Des Moines
SMALL of Johnson

H—679

1 Amend Senate File 571 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following
4 new section:

5 NEW SECTION. Effective January 1, 1974, no personal
6 property tax shall be levied by any taxing district in
7 this state. The provisions of the Code relating to
8 the taxation of personal property are void.

9 2. Amend the title, page 1, lines 1 through 4,
10 by striking the words "all livestock from property
11 taxation for all livestock valued and assessed on
12 January 1, 1973, for which taxes would otherwise be
13 due in 1974 and making an appropriation" and inserting
14 in lieu thereof the words "exempt personal property
15 from taxation".

H—679 Filed *7/14/73* By
June 4, 1973

BRINCK of Lee
McCORMICK of Delaware
NORPEL of Jackson
HUSAK of Tama
CAFFREY of Polk
WYCKOFF of Benton
HORN of Linn

WEST of Marshall
CUSACK of Scott
HUTCHINS of Guthrie
MILLEN of Van Buren

S—718

1 Amend Senate File 571, page 2, line 6, by inserting after the
2 word "Code," the words "except that the tax credit on cattle
3 shall apply only to six hundred cattle over one year old per
4 taxpayer,".

S—718 Filed and ruled
out of order
June 1, 1973

By DODERER

SENATE FILE 571

H-698

1 Amend Senate File 571, as amended and passed by
2 the Senate, as follows:

3 1. By striking all after the enacting clause and
4 inserting in lieu thereof the following:

5 Section 1. NEW SECTION. PERSONAL PROPERTY DEFINED.

6 For the purposes of this Act, "personal property"
7 means all tangible property other than real property,
8 which is located in the state and subject to taxation,
9 except the following:

10 1. Machinery described under section four hundred
11 twenty-eight point twenty-two (428.22) of the Code.

12 2. Property centrally assessed by the department
13 of revenue under the provisions of chapter four hundred
14 twenty-eight (428) and chapters four hundred thirty-
15 three (433) through four hundred thirty-eight (438)
16 of the Code.

17 Sec. 2. NEW SECTION. BONDING BASE. For purposes
18 of determining the property tax base for bonding pur-
19 poses only, the value of personal property in each
20 taxing district on January 1, 1974, and all succeeding
21 years, shall be the same as the value of personal
22 property in each taxing district on January 1, 1973.

23 Sec. 3. NEW SECTION. PERSONAL PROPERTY TAX CREDIT-
24 -COMPUTATION. Commencing in the year 1974, for taxes
25 payable for the year 1973, each taxpayer is entitled
26 to a credit based upon one hundred percent of the
27 assessed value of his personal property, and each
28 taxing district in the state is entitled to an annual
29 personal property tax replacement payment from the
30 state, based upon the application of the district's
31 property tax rate to its assessed value of personal
32 property. The assessed value of personal property
33 for the purposes of determining the credit and
34 replacement in each taxing district shall be determined
35 as provided in this section. The actual value of
36 personal property in each taxing district shall be
37 the amount which is in the same ratio to the assessed
38 value as the actual value of real property is to the
39 assessed value of real property, as provided in section
40 four hundred forty-one point twenty-one (441.21) of
41 the Code.

42 The assessed value of personal property in each
43 taxing district in 1973 shall be determined as
44 otherwise provided by law. As soon as possible in
45 each succeeding year, the director of revenue shall
46 determine and certify to each county auditor and to
47 the state comptroller the assessed value of personal
48 property in each taxing district for that year,
49 pursuant to the following procedure:

50 1. Determine a percentage which represents the

51 ratio between the assessed value of personal property
52 and the assessed value of real property in the district
53 in 1973.

54 2. Multiply the assessed value of real property
55 in the district for the year, as determined under
56 chapter four hundred forty-one (441) of the Code,
57 by the percentage determined under subsection one
58 (1) of this section. The result is the assessed value
59 of personal property in the district for that year.

60 Sec. 4. NEW SECTION. ALLOCATION OF REVENUE--PAY-
61 MENT OF CREDIT. On or before January 1, 1974, and
62 each year thereafter, the auditor of each county shall
63 prepare a statement listing for each taxing district
64 in the county the assessed value of personal property
65 as of January first of the previous year as determined
66 under section three (3) of this Act. The statement
67 shall show the tax rates of the various taxing
68 districts and the total amount of taxes which are
69 not to be collected in 1974 for the year 1973 and
70 in each succeeding year by reason of the credit granted
71 in this Act. The auditor shall certify and forward
72 copies of the statement to the state comptroller and
73 the director of revenue not later than January
74 fifteenth of each year. The director of revenue shall
75 compute the applicable tax credit each year and certify
76 to the state comptroller the amount due to each taxing
77 district, which shall be the dollar amount which would
78 be payable if personal property were taxed for the
79 preceding year, based upon the determination of
80 assessed value of personal property for the preceding
81 year, under section three (3) of this Act.

82 The amounts due each taxing district shall be paid
83 in two equal payments by the state comptroller on
84 March fifteenth and September fifteenth of 1974 and
85 each succeeding year, drawn upon warrants payable
86 to the respective county treasurers. The county
87 treasurer shall pay the proceeds to the various taxing
88 districts in the county.

89 In the event that the amount appropriated for reim-
90 bursement of the taxing districts is insufficient
91 to pay in full the amounts due to each of the taxing
92 districts, then the amount of each payment shall be
93 established by the state comptroller based upon the
94 ratio that the total amount due to each taxing district
95 is to the total amount due to all taxing districts
96 in the state.

97 Sec. 5. NEW SECTION. PERSONAL PROPERTY TAX
98 REPLACEMENT FUND. There is created a "personal
99 property tax replacement fund" in the office of the
100 treasurer of state. There is appropriated from the
101 general fund of the state for each year of the biennium
102 commencing July 1, 1973 and ending June 30, 1975,
103 the sum of seventy-seven million (77,000,000) dollars
104 to the state comptroller for deposit in the personal
105 property tax replacement fund, to make the personal
106 property tax replacement payments to taxing districts,
107 as provided for in this Act.

108 Sec. 6. Chapter four hundred twenty-seven A (427A),
109 Code 1973, is repealed.

110 2. Amend the title, page 1, line 1, by striking
111 the word "livestock" and inserting in lieu thereof
112 the word "personal property".

1 Amend the Stanley et al. amendment, H-722, to
2 Senate File 571, as amended and passed by the Senate,
3 as follows:

4 1. Line 17, by striking the words "and all other
5 livestock" and inserting in lieu thereof the words
6 ~~and-all-other-livestock~~".

7 2. By striking lines 19 through 21 and inserting
8 in lieu thereof the following:

9 Sec. 2. Section four hundred twenty-seven point
10 thirteen (427.13), subsections two (2) and three
11 (3), Code 1973, are amended to read as follows:

12 2. Horses, cattle, mules and asses over one year
13 of age shall be subject to taxation only to the ex-
14 tent that appropriations by the general assembly
15 are insufficient to finance the tax credit provided
16 for by this Act. However, for the purposes of the
17 personal property tax imposed on cattle, bovine
18 females three years of age or older shall be exempt
19 subject to taxation only to the extent that
20 appropriations by the general assembly are
21 insufficient to finance the tax credit provided for
22 by this Act.

23 ~~A-tax-credit-shall-be-allowed-each-taxing-district~~
24 ~~for-each-bovine-female-that-was-assessed-as-a-three-~~
25 ~~year-old,-or-older,-as-of-January-1,-1970.--Such~~
26 ~~tax-credit-shall-commence-for-the-tax-year-1971-and~~
27 ~~each-year-thereafter-based-upon-those-assessed-as~~
28 ~~of-January-1,-1970.~~

29 3. Sheep and swine over nine months of age shall
30 be subject to taxation only to the extent that appro-
31 priations by the general assembly are insufficient
32 to finance the tax credit provided for by this Act.

33 3. Line 32, by striking the word "not".

34 4. Line 34, by inserting after the word "tax"
35 the words "only to the extent that appropriations
36 by the general assembly are insufficient to finance
37 the tax credit provided for in this Act".

38 5. Line 37, by inserting after the figure "1973"
39 the words "and each January first thereafter".

40 6. Line 40, by inserting after the figure "1973"
41 the words "and each January first thereafter".

42 7. Line 41, by inserting after the figure "1974"
43 the words "and January fifteenth of each year there-
44 after".

45 8. Line 45, by inserting after the figure "1973"
46 the words "and each January first thereafter".

47 9. Line 49, by inserting after the figure "1973"
48 the words "and each January first thereafter".

49 10. Line 52, by inserting after the figure "1974"
50 the words "and January fifteenth of each year there-
51 after".

52 11. Line 58, by inserting after the figure "1973"
53 the words "and each January first thereafter".

H-751

1 Amend the Stanley, et al. amendment, H-722, to Senate
2 File 571, as amended and passed by the Senate, as
3 follows:

- 4 1. Line 31, by inserting after the figure "1973"
5 the words "and bovine females three years of age or
6 older that were assessed as of January 1, 1970".
- 7 2. Line 37, by inserting after the figure "1973"
8 the words "and bovine females three years of age or
9 older that were assessed as of January 1, 1970".
- 10 3. Line 40, by inserting after the figure "1973"
11 the words "and bovine females three years of age or
12 older that were assessed as of January 1, 1970".
- 13 4. Line 45, by inserting after the figure "1973"
14 the words "and bovine females three years of age or
15 older that were assessed as of January 1, 1970".
- 16 5. Line 49, by inserting after the figure "1973"
17 the words "and bovine females three years of age or
18 older that were assessed as of January 1, 1970".
- 19 6. Line 58, by inserting after the figure "1973"
20 the words "and bovine females three years of age or
21 older that were assessed as of January 1, 1970".
- 22 7. Line 84, by inserting after the figure "1973"
23 the words "and bovine females three years of age or
24 older that were assessed as of January 1, 1970".

H-751 Filed - *W.S. 6/13*
June 12, 1973

By TOFTE of Winneshiek

1 Amend Senate File 571 as follows:

- 2 1. Page 2, by striking lines 1 through 35.
 3 2. Page 3, by striking lines 1 through 24.
 4 3. Page 2, by adding the following new sections:

5 "Sec. 1. Chapter four hundred twenty-seven A point four
 6 (427A.4), Code 1973, is amended to read as follows:

7 Sec. 427A.4. LIMIT OF CREDIT. No person or business
 8 enterprise in the state shall be allowed a credit on personal
 9 property tax in excess of ~~two-thousand-seven-hundred-dollars~~
 10 three thousand two hundred dollars assessed valuation. Any
 11 person or business enterprise who owns personal property
 12 subject to taxation in more than one county of the state
 13 shall designate in reporting such property to the assessor for
 14 the purpose of assessment as required in section 427A.1 in
 15 which counties of the state the property is located and may
 16 claim the entire credit in one county or a proportionate
 17 part thereof in each county where the property is situated,
 18 and in no case shall he claim more than the ~~two-thousand-seven~~
 19 ~~hundred-dollars~~ three thousand two hundred dollars assessed
 20 value for all personal property assessed in all counties.

21 Each year, on or before July 1, the taxpayer shall
 22 deliver to the assessor an application for personal property
 23 tax credit and state by such affidavit or affidavits filed
 24 in each county where his personal property is situated, that
 25 he has not claimed a total personal property tax credit in

Page 2

1 all counties in excess of a total of two thousand seven hundred
 2 dollars three thousand two hundred dollars assessed valuation.

3 It shall be the duty of the assessor to examine claims
 4 for such credit filed with him and recommend on each such claim
 5 the disallowance thereof where it appears that an owner
 6 of tangible personal property has attempted to divide the
 7 ownership thereof for purpose of obtaining additional credit
 8 beyond the amount of ~~two-thousand-seven-hundred-dollars~~ three
 9 thousand two hundred dollars in a year.

10 If any person fails to make application for the credits
 11 provided for under this chapter as herein required, he shall
 12 be deemed to have waived the personal property tax credit for
 13 the year in which he failed to make claim.

14 Any person making a false affidavit for the purpose of
 15 obtaining the credit provided for in this section, or who
 16 knowingly receives such credit without being legally entitled
 17 thereto, or who makes claim for credit of more than ~~two~~
 18 ~~thousand-seven-hundred-dollars~~ three thousand two hundred
 19 dollars in the state shall be guilty of a misdemeanor and
 20 upon conviction thereof shall be fined not more than one hundred
 21 dollars or imprisoned in the county jail for not more than
 22 thirty days or both so fined and imprisoned.

23 Sec. 2. Chapter four hundred twenty-seven A point five
 24 (427A.5), Code 1973, is amended to read as follows:

25 Sec. 427A.5. JOINTLY OWNED PROPERTY--DIVISION OF CREDIT.

Page 3

1 if personal property is owned separately by a husband and wife,
2 they may divide the credit or one may take the entire credit,
3 but in no case may a husband and wife receive a total credit of
4 more than two-thousand-seven-hundred-dollars three thousand
5 two hundred dollars unless husband, wife or minor children
6 own farm units separately. If personal property is owned
7 by separate business enterprises and the business enterprises
8 are controlled or owned by the same person, the separate business
9 enterprises may divide the credit or one may take the entire
10 credit, but in no case may separate business enterprises which
11 are controlled or owned by the same person receive a total
12 exemption of more than two-thousand-seven-hundred-dollars
13 three thousand two hundred dollars.

14 Business enterprises are controlled or owned by the same
15 person if over fifty percent of their assets or shares of
16 stock are controlled or owned by the same person, or if they
17 are in fact controlled and managed by the same person,
18 regardless of how actual title to the assets or shares of stock
19 are held. The assessor shall deliver the sworn affidavits to
20 the county auditor by August 1 of each year."

21 4. Page 3, by striking lines 26 through 28 and inserting
22 in lieu thereof the following:

23 "This bill increases the personal property tax credit from
24 \$2700 assessed valuation to \$3200 assessed valuation."

25 5. Page 1, by striking lines 1 through 3, and inserting

Page 4

1 in lieu thereof the following:

2 "An act to increase the personal property tax credit."

S-722 Filed and ruled
out of order
June 1, 1973

By GLENN

S-726

1 Amend Senate File 571, page 3, by inserting the following
2 section after line 24:

3 Sec. _____. The provisions of sections one (1) and two
4 (2) of this Act shall not apply to nonresidents.

S-726 Filed. *Law 6/1*
June 1, 1973

By GLUBA

HOUSE AMENDMENT TO SENATE FILE 571

1 Amend Senate File 571, as amended and passed by the
2 Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting in lieu thereof the following:

5 Section 1. Section four hundred twenty-seven point
6 one (427.1), subsection thirteen (13), Code 1973, is
7 amended to read as follows:

8 13. AGRICULTURAL PRODUCE. Growing agricultural
9 and horticultural crops and products, except commercial
10 orchards and vineyards, and all horticultural and
11 agricultural produce harvested by or for the person
12 assessed within one year previous to the listing, all
13 wool shorn from his sheep within such time, all poultry,
14 ten stands of bees, honey and beeswax produced during
15 that time and remaining in the possession of the pro-
16 ducer, ~~all swine and sheep under nine months of age;~~
17 ~~and all other livestock and fur-bearing animals under~~
18 ~~one year of age.~~

19 Sec. 2. Section four hundred twenty-seven point
20 thirteen (427.13), Code 1973, is amended by striking
21 subsections two (2) and three (3).

22 Sec. 3. Acts of the General Assembly, 1970 Session
23 of the Sixty-third General Assembly, Chapter twelve
24 hundred five (1205), Section twenty-two (22), is
25 repealed.

Page 2

1 Sec. 4. Chapter four hundred twenty-seven (427),
2 Code 1973, is amended by adding the following new
3 section:

4 NEW SECTION.

5 1. The personal property tax levied on all
6 livestock assessed for taxation as of January 1, 1973,
7 shall not be collected in 1974, or any subsequent
8 year, from the owners of the livestock or from those
9 having liability for the payment of the tax.

10 2. A tax credit shall be allowed each taxing
11 district in the state for each head of livestock that
12 was assessed as of January 1, 1973. The tax credit
13 shall commence and be effective for the tax year 1974
14 and each year thereafter based upon the livestock
15 assessed as of January 1, 1973.

16 3. On or before January 15, 1974, the county
17 auditor of each county shall prepare a statement
18 listing for each taxing district in the county the
19 assessed or taxable values of all livestock assessed
20 for taxation as of January 1, 1973. The statement
21 shall also show the tax rates of the various taxing
22 districts and the total amount of taxes which in the
23 absence of this Act would have been levied upon
24 livestock assessed as of January 1, 1973. The county
25 auditor shall certify and forward copies of the

Page 3

1 statement to the director of revenue not later than
2 January 15, 1974. The director of revenue shall
3 compute the applicable tax credit and certify to the
4 state comptroller the amount due to each taxing
5 district, which amount shall be the dollar amount
6 which would be payable if all livestock so assessed
7 were taxed, based upon those assessed as of January
8 1, 1973.

9 4. The amounts due each taxing district shall
10 be paid on warrants payable to the respective county
11 treasurers in two equal payments by the state
12 comptroller on March fifteenth and September fifteenth
13 of each year with the first payment starting March
14 15, 1974. The county treasurer shall apportion the
15 proceeds to the various taxing districts in the county.

16 5. In the event that the amount appropriated for
17 reimbursement of the taxing districts is insufficient
18 to pay in full the amounts due to each of the taxing
19 districts, then the amount of each payment shall be
20 reduced by the director of revenue according to the
21 ratio that the total amount of funds to be paid to
22 each taxing district bears to the total amount to
23 be paid to all taxing districts in the state.

24 Sec. 5. Section four hundred forty-two point two
25 (442.2), Code 1973, is amended by adding the following

Page 4

1 new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. The amount paid to each
3 school district for the tax credit for livestock under
4 this Act shall be regarded as property tax. The
5 portion of the payment which is foundation property
6 tax shall be determined by applying the foundation
7 property tax millage rate to the taxable value of
8 livestock assessed for taxation in the district as
9 of January 1, 1973, determined pursuant to this Act.

10 Sec. 6. NEW SECTION. There is appropriated from
11 the general fund of the state of Iowa to the state
12 comptroller for the fiscal year beginning July 1,
13 1973, and ending June 30, 1974, the sum of four million
14 (4,000,000) dollars, or so much thereof as may be
15 necessary, and for each succeeding fiscal year the
16 sum of eight million (8,000,000) dollars, or so much
17 thereof as may be necessary, to carry out the
18 provisions of section four (4) of this Act.

19 2. Amend the title, page 1, line 1, by striking
20 the words "grant a credit for" and inserting in lieu
21 thereof the words "exempt from taxation".

Received from the House
June 19, 1973

Senate concurred 6/21

S-708

1 Amend Senate File 571 as follows:

- 2 1. Page 2, line 6, by inserting after the figure "(3)" the
- 3 words "and section four hundred twenty-eight point seventeen
- 4 (428.17)".
- 5 2. Page 2, line 9, by inserting after the word "livestock"
- 6 the words "and all stocks of merchandise".
- 7 3. Page 2, line 13, by inserting after the word "livestock"
- 8 the words "and stocks of merchandise".
- 9 4. Page 2, line 18, by inserting before the word "assessed"
- 10 the words "and stocks of merchandise".
- 11 5. Page 2, line 28, by inserting after the word "livestock"
- 12 the words "and stocks of merchandise".
- 13 6. Amend the title, page 1, line 1, by inserting after the
- 14 word "livestock" the words "and stocks of merchandise".

S-708 Filed. *Ruled out of order 6/1* By SHAW
May 31, 1973

S-709

1 Amend Senate File 571 as follows:

- 2 1. Page 2, by striking lines 4 through 7 and inserting in
- 3 lieu thereof the following:
- 4 1. All horses, cattle, mules, and asses over one year of age
- 5 and all sheep and swine over nine months of age shall be exempt
- 6 from taxation and shall not be assessed after July 1, 1973. There
- 7 is granted a credit against the assessed value of such livestock
- 8 as assessed for taxation as of January 1, 1973.
- 9 2. Page 3, by inserting after line 24 the following new
- 10 section:
- 11 Sec. _____. Section four hundred twenty-seven point thirteen
- 12 (427.13), Code 1973, is amended by striking subsections two (2)
- 13 and three (3).

S-709 Filed - *Adopted 6/1* By SHAFF
May 31, 1973

S-717

1 Amend Senate File 571 as follows:

- 2 1. By striking everything after the enacting clause and in-
- 3 serting in lieu thereof the following new section:
- 4 Sec. _____. Section four hundred twenty-two point forty-five
- 5 (422.45), Code 1973, is amended by adding the following new
- 6 subsection:
- 7 NEW SUBSECTION. The gross receipts from the sales of fresh
- 8 and cured meat, including poultry, when purchased for consumption
- 9 off the premises.
- 10 2. Amend the title, page 1, lines 1 through 3, by striking
- 11 the words "to grant a credit for all livestock valued and as-
- 12 sessed on January 1, 1973, for which taxes would otherwise be
- 13 due in 1974 and succeeding years and making an appropriation"
- 14 and inserting in lieu thereof the words "exempting meet products
- 15 from the sales and use tax".

S-717 Filed, ruled out By GLUBA and ORR
of order
June 1, 1973