

FEB 17 1976

HOUSE FILE 1320

WAYS & MEANS CALENDAR, *Page 5/4*
House File 1320
Ways and Means
Curtis, Chairperson
Rodgers
Gluba

By COMMITTEE ON WAYS AND MEANS

Passed House, Date 3-26-76 (1451) Passed Senate, Date 5-10-76 (1817)
Vote: Ayes 84 Nays 0 Vote: Ayes 44 Nays 0
Approved 5-20-76

A BILL FOR

1 An Act to correct an internal code reference under the
2 individual income tax law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section four hundred twenty-two point sixteen
2 (422.16), subsection nine (9), Code 1975, is amended to read
3 as follows:

4 9. The amount of any overpayment of the individual income
5 tax liability of the employee taxpayer, nonresident, or other
6 person which may result from the withholding and payment of
7 withheld tax by the employer or withholding agent to the
8 department under subsections 1 and 12 hereof, as compared
9 to the individual income tax liability of the employee
10 taxpayer, nonresident, or other person properly and correctly
11 determined under the provisions of section 422.4, to and
12 including section 422.25, may be credited against any income
13 tax or installment thereof then due the state of Iowa and
14 any balance of one dollar or more shall be refunded to the
15 employee taxpayer, nonresident or other person with interest
16 at six percent per annum, such interest to begin to accrue
17 forty-five days after the date the return was due to be filed
18 or was filed, whichever is the later date. Amounts less than
19 one dollar shall be refunded to the taxpayer, nonresident,
20 or other person only upon written application, in accordance
21 with section ~~422.74~~ four hundred twenty-two point seventy-
22 three (422.73) of the Code, only if such application is filed
23 within twelve months after the due date of the return. Refunds
24 in the amount of one dollar or more provided for by this
25 subsection shall be paid by the ~~state~~ state treasurer of state by
26 means of warrants drawn by the comptroller at the direction
27 of the director, or an authorized employee of the department,
28 and the taxpayer's return of income shall constitute a claim
29 for refund for this purpose, except in respect to amounts
30 of less than one dollar. There is hereby appropriated, out
31 of any funds in the state treasury not otherwise appropriated,
32 a sum sufficient to carry out the provisions of this
33 subsection.

34 EXPLANATION

35 This bill is corrective. For refunds of less than one

1 dollar, the law provides that the taxpayer shall receive the
2 refund upon application in accordance with 422.74 which relates
3 to certification of refunds by the director. The internal
4 reference is changed to 422.73 which relates to the correction
5 of errors and the manner and period in which to apply for
6 a refund.

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HOUSE FILE 1320

AN ACT

TO CORRECT AN INTERNAL CODE REFERENCE UNDER THE INDIVIDUAL
INCOME TAX LAW.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section four hundred twenty-two point sixteen (422.16), subsection nine (9), Code 1975, is amended to read as follows:

9. The amount of any overpayment of the individual income tax liability of the employee taxpayer, nonresident, or other person which may result from the withholding and payment of withheld tax by the employer or withholding agent to the department under subsections 1 and 12 hereof, as compared to the individual income tax liability of the employee taxpayer, nonresident, or other person properly and correctly determined under the provisions of section 422.4, to and including section 422.25, may be credited against any income tax or installment thereof then due the state of Iowa and any balance of one dollar or more shall be refunded to the employee taxpayer, nonresident or other person with interest at six percent per annum, such interest to begin to accrue forty-five days after the date the return was due to be filed or was filed, whichever is the later date. Amounts less than one dollar shall be refunded to the taxpayer, nonresident, or other person only upon written application, in accordance with section ~~422.74~~ four hundred twenty-two point seventy-three (422.73) of the Code, only if such application is filed within twelve months after the due date of the return. Refunds in the amount of one dollar or more provided for by this subsection shall be paid by the state treasurer of state by means of warrants drawn by the comptroller at the direction of the director, or an authorized employee of the department, and the taxpayer's return of income shall constitute a claim for refund for this purpose, except in respect to amounts

of less than one dollar. There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this subsection.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1320, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 5/20, 1976

ROBERT D. RAY
Governor