

See Ways and Means 3/5, Pass 3/7

FFB 17 1975

HOUSE FILE 230

**WAYS & MEANS CALENDAR**

By COMMITTEE ON WAYS AND MEANS

House File 230  
Ways and Means  
Burroughs, Chairman  
Lamborn  
Nolting

Passed House, Date 3-3-75 (483) Passed Senate, Date 4-9-75 (87)  
Vote: Ayes 93 Nays 0 Vote: Ayes 44 Nays 0  
Approved 4-22-75

**A BILL FOR**

- 1 An Act relating to uniformity of time limits in the inheritance
- 2 and estate tax laws.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4
- 5

**FISCAL NOTE**  
HOUSE FILE 230

Date Prepared February 27, 1975

Requested by Representative Oakley  
Prepared in regard to Amendment H-3144 to H.F. 230, An Act relating to inheritance tax and estate tax time limits. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

It is estimated that under the Oakely amendment there would be a one time windfall of approximately \$2.7 million.

Source: Department of Revenue

FILED  
FEBRUARY 27, 1975

GERRY D. RANKIN  
Legislative Fiscal Director

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1 Section 1. Section four hundred fifty point thirty-five  
2 (450.35), Code 1975, is amended to read as follows:

3 450.35 CANCELLATION OF LIEN. If upon the hearing of  
4 objections to the appraisalment the court finds that the  
5 property is not subject to the tax, the court shall upon  
6 expiration of time for appeal, when no appeal has been taken,  
7 order the clerk to enter upon the lien book a cancellation  
8 of any claim or lien for taxes. If at the end of ~~twenty~~  
9 forty-five days from the filing of the appraisalment with the  
10 clerk, no objections are filed, the appraisalment shall stand  
11 approved.

12 Sec. 2. Section four hundred fifty-one point six (451.6),  
13 Code 1975, is amended to read as follows:

14 451.6 PAYMENT OF TAX. The tax imposed by this chapter  
15 shall be paid by the executor to the department of revenue  
16 within ~~eighteen~~ fifteen months from the date of the death  
17 of such decedent, or in case such decedent died more than  
18 ~~eighteen~~ fifteen months prior to April 12, 1929, then within  
19 six months after the effective date hereof.

20 EXPLANATION

21 This bill makes the time limit for objections to inheritance  
22 tax appraisals in section 450.35 equal to the time limit given  
23 in section 450.31 for the same purpose, and makes the time  
24 period for filing an Iowa estate tax return equal to the time  
25 period for filing an Iowa inheritance tax return. The Iowa  
26 estate tax only comes into effect when the Iowa inheritance  
27 tax does not use all of the federal estate tax credit.

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LSB 621  
jb/rh/31

FISCAL NOTE  
HOUSE FILE 230

Date Prepared February 17, 1975

Requested by Committee on Ways  
Prepared in regard to H.F. 230, An Act relating to uniformity of inheritance appraisal objections. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

It is estimated that H.F. 230 would have no fiscal effect.

Source: Department of Revenue

FILED  
FEBRUARY 19, 1975

GERRY D. RANKIN  
Legislative Fiscal Director

H-3144

1 Amend House File 230 as follows:

2 1. Page 1, line 16, by striking the word  
3 "fifteen" and inserting the word "nine".

4 2. Page 1, line 18, by striking the word  
5 "fifteen" and inserting the word "nine".

6 3. Page 1, by inserting before line 1 the  
7 following:

8 "Section 1. Section four hundred fifty point  
9 six (450.6), Code 1975, is amended to read as  
10 follows:

11 450.6 ACCRUAL OF TAX--MATURITY-- EXTENSION OF  
12 TIME. The tax hereby imposed shall be for the use  
13 of the state, shall accrue at the death of the  
14 decedent owner, and shall be paid to the department  
15 of revenue within fifteen nine months after the death  
16 of the decedent owner except when otherwise provided  
17 in this chapter. When in the opinion of the director  
18 of revenue additional time should be granted for  
19 payment to avoid hardship, the director may extend  
20 the period to a date not exceeding three years from  
21 date of death of decedent, but in case of any such  
22 extension the tax shall bear six percent interest  
23 from the expiration of fifteen nine months from  
24 decedent's death."

H-3144 FILED - *Jan 2/3 (483)*  
FEBRUARY 20, 1975

BY OAKLEY of Clinton

H-3154

1 Amend House File 230, page 1, by striking  
2 lines 1 through 11 and inserting in lieu thereof  
3 the following:

4 "Section 1. Section four hundred fifty point  
5 thirty-one (450.31), Code 1975, is amended to  
6 read as follows:

7 450.31 OBJECTIONS. The director of revenue  
8 or any person interested in the estate or prop-  
9 erty appraised may, within ~~forty-five~~ twenty days  
10 thereafter, file objections to said appraisement  
11 and give notice thereof as in beginning civil  
12 actions, to the director of revenue or the rep-  
13 resentative of the estate or trust, if any, other-  
14 wise to the person interested as heir, legatee,  
15 or transferee, on the hearing of which as an  
16 action in equity either party may produce evi-  
17 dence competent or material to the matters  
18 therein involved.

H-3154 FILED - *Last 2/3 (482)*  
FEBRUARY 25, 1975

BY OAKLEY of Clinton

~~eighteen~~ fifteen months prior to April 12, 1929, then within six months after the effective date hereof.

HOUSE FILE 230

AN ACT

RELATING TO UNIFORMITY OF TIME LIMITS IN THE INHERITANCE AND ESTATE TAX LAWS.

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

Section 1. Section four hundred fifty point thirty-five (450.35), Code 1975, is amended to read as follows:

450.35 CANCELLATION OF LIEN. If upon the hearing of objections to the appraisalment the court finds that the property is not subject to the tax, the court shall upon expiration of time for appeal, when no appeal has been taken, order the clerk to enter upon the lien book a cancellation of any claim or lien for taxes. If at the end of ~~twenty~~ forty-five days from the filing of the appraisalment with the clerk, no objections are filed, the appraisalment shall stand approved.

Sec. 2. Section four hundred fifty-one point six (451.6), Code 1975, is amended to read as follows:

451.6 PAYMENT OF TAX. The tax imposed by this chapter shall be paid by the executor to the department of revenue within ~~eighteen~~ fifteen months from the date of the death of such decedent, or in case such decedent died more than

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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 230, Sixty-sixth General Assembly.

\_\_\_\_\_  
DAVID L. WRAY  
Chief Clerk of the House

Approved \_\_\_\_\_, 1975

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ROBERT D. RAY  
Governor