Ways & Means 4/12 Pass per 2400 4/20 (p 1142)

SENATE FILE 336

Ways and Means
Palmer, Chairperson
Nolting
Kelly

FILED APR 7 1977

Reprinted 5/77

SENATE FILE 336

By READINGER and SLATER

Passed Senate, Date 4-28-77 (p. 1234) Passed House, Date _____

Vote: Ayes 35 Nays 12 Vote: Ayes _____ Nays _____

Approved June 14, 1977

A BILL FOR

An Act imposing a state tax on the renting of hotel and motel rooms and providing for the revenue to be returned to the cities and counties.

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

S.F. 336

S.F. 336 H.F. _____

1 Section 1. NEW SECTION. HOTEL AND MOTEL TAX. There is
2 hereby imposed a tax of five percent upon the gross receipts
3 from the renting of any and all rooms, apartments, or sleeping
4 quarters in any hotel, motel, inn, public lodging house,
5 rooming house, or tourist court, or in any place where sleeping
6 accommodations are furnished to transient guests for rent,
7 whether with or without meals. "Renting" and "rent" include
8 any kind of direct or indirect charge for such rooms, apart-
9 ments, sleeping quarters, or the use thereof. However, such
10 tax shall not apply to the gross receipts from the renting
11 of a room, apartment, or sleeping quarters while rented by
12 the same person for a period of more than thirty-one
13 consecutive days.
14 All revenues arising under the operation of the provisions
15 of this section shall be credited to a "local transient guest
16 tax fund" established by section two (2) of this Act.
17 The tax herein levied shall be in addition to any state
18 sales tax imposed under section four hundred twenty-two point
19 forty-three (422.43) of the Code. The provisions of sections
20 four hundred twenty-two point twenty-five (422.25), subsection
21 four (4), four hundred twenty-two point thirty (422.30), four
22 hundred twenty-two point forty-eight (422.48) through four
23 hundred twenty-two point fifty-eight (422.58), four hundred
24 twenty-two point sixty-seven (422.67), four hundred twenty-
25 two point sixty-eight (422.68), four hundred twenty-two point
26 sixty-nine (422.69), subsection one (1), and four hundred
27 twenty-two point seventy (422.70) through four hundred twenty-
28 two seventy-five (422.75) of the Code, consistent with the
29 provisions of this Act, shall apply with respect to the taxes
30 levied under this Act, in the same manner and with the same
31 effect as if the hotel and motel taxes were gross receipts
32 taxes within the meaning of those statutes.
33 Sec. 2. NEW SECTION. LOCAL TRANSIENT GUEST TAX FUND.
34 1. There is created in the office of the treasurer of
35 state a local transient guest tax fund which shall consist

of all moneys credited to such fund under section one (1) of this Act.

2. All moneys in the local transient guest tax fund shall be remitted at least quarterly by the treasurer of state, pursuant to rules of the director of revenue, to each city in the amount collected from businesses in that city and to each county in the amount collected from businesses in the unincorporated areas of the county.

3. All moneys received by the county or city from this fund shall be credited to the general fund of such county or city.

Sec. 3. This Act is effective January 1, 1978.

EXPLANATION

This bill imposes a tax on the renting of sleeping accommodations at the rate of five percent of the gross receipts. The revenue is to be remitted to the city or unincorporated area of the county where the revenue came from.

SENATE FILE 336
FISCAL NOTE

Date Prepared: April 19, 1977
Requested by: Senator Readinger
Prepared in regard to Senate File 336, Readinger Amendment, S-3368, An Act imposing a state tax on the renting of hotel and motel rooms and providing for the revenue to be returned to the cities and counties.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

This amendment would authorize cities to impose a local hotel and motel tax. If enacted, the amendment would strike the provision for a state administered occupancy tax of five percent and provide in lieu thereof a local option occupancy tax not to exceed seven percent. From the data available, it is not possible to readily ascertain how many hotels and motels are within corporate city limits nor the taxable sales of such hotels. Furthermore, as with all local option taxes, it is not possible to project which cities would impose such a tax and the volume of taxable sales conducted in those cities. As a result, a reliable estimate of the revenue which could be expected to be collected as the result of the proposal cannot be provided.

Source: Department of Revenue

FILED
APRIL 20, 1977

GERRY RANKIN
Legislative Fiscal Director

SENATE FILE 336
FISCAL NOTE

DATE PREPARED: April 19, 1977
REQUESTED BY: Senator Readinger
Prepared in regard to Senate File 336, An Act imposing a state tax on the renting of hotel and motel rooms and providing for the revenue to be returned to the cities and counties.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

Senate File 336 provides for a five percent tax on the gross receipts received from the rental of hotel and motel rooms. The tax would be imposed state-wide on room rentals when rented by an individual for a period of thirty-one days or less. The tax would be administered and collected by the state with revenues returned to the cities and counties from which the tax was collected.

It is estimated, based on data obtained from the Department of Revenue's 1976 Retail Sales and Use Tax Report, that a five percent tax on the rental of accommodations would result in an increase in state tax revenues of about $5.3 million.

Source: Department of Revenue

FILED
APRIL 20, 1977

GERRY RANKIN
Legislative Fiscal Director

SENATE FILE 336

S-3368

1 Amend Senate File 336 as follows:
2 1. Page 1, lines 1 and 2, by striking the words
3 "There is hereby imposed a tax of five percent" and
4 inserting in lieu thereof the words "A city or county
5 may impose by ordinance of the city council or by
6 resolution of the board of supervisors a hotel and motel
7 tax, at a rate not to exceed seven percent,".
8 2. Page 1, by striking lines 14 through 16 and
9 inserting in lieu thereof the following:
10 "The director of revenue shall administer the
11 provisions of a local hotel and motel tax as nearly
12 as possible in conjunction with the administration of
13 the state sales tax law. The director shall provide
14 appropriate forms, or provide on the regular state
15 tax forms, for reporting local hotel and motel tax
16 liability.
17 The director, in consultation with local officials,
18 shall collect and account for a local hotel and motel
19 tax and shall credit all revenues to a "local transient
20 guest tax fund" established by section two (2) of this
21 Act.
22 No tax permit other than the state tax permit
23 required under section four hundred twenty-two point
24 fifty-three (422.53) of the Code may be required by
25 local authorities."
26 3. Page 1, line 30, by striking the word "levied"
27 and inserting in lieu thereof the word "authorized."
28 4. Title page, by striking lines 1 through 3 and
29 inserting in lieu thereof the words "An Act relating to
30 the imposition of a hotel and motel tax by a city or
31 county."

S-3368 FILED - Withdrawn 4/28 (p 1232) BY DAVID M. READINGER
APRIL 19, 1977

SENATE FILE 336

S-3406

1 Amend the Committee on Ways and Means amendment
2 S-3400, to Senate File 336 as follows:
3 1. By inserting after line 7 the following:
4 "___. Page 1, by inserting after line 13 the
5 following:
6 "If any city has imposed a hotel and motel tax,
7 the county in which the city is located may also
8 impose a hotel and motel tax. However, such tax shall
9 apply only to those incorporated and unincorporated
10 areas of the county which do not have a hotel and
11 motel tax. The county hotel and motel tax shall apply
12 to any city which subsequently repeals its hotel and
13 motel tax.""

S-3406 FILED - adopted 4/28 (1231) BY DAVID M. READINGER
APRIL 21, 1977 WILLIAM D. PALMER
TOM SLATER

S-3400

SENATE FILE 336

1 Amend Senate File 336 as follows:
2 1. Page 1, lines 1 and 2, by striking the words
3 "There is hereby imposed a tax of five percent" and
4 inserting in lieu thereof the words "A city or county
5 may impose by ordinance of the city council or by
6 resolution of the board of supervisors a hotel and
7 motel tax, at a rate not to exceed seven percent,".
8 2. Page 1, by striking lines 14 through 16 and
9 inserting in lieu thereof the following:
10 "The director of revenue shall administer the
11 provisions of a local hotel and motel tax as nearly
12 as possible in conjunction with the administration
13 of the state sales tax law. The director shall provide
14 appropriate forms, or provide on the regular state
15 tax forms, for reporting local hotel and motel tax
16 liability.
17 The director, in consultation with local officials,
18 shall collect and account for a local hotel and motel
19 tax and shall credit all revenues to a "local transient
20 guest tax fund" established by section two (2) of
21 this Act.
22 No tax permit other than the state tax permit
23 required under section four hundred twenty-two point
24 fifty-three (422.53) of the Code may be required by
25 local authorities."
26 3. Page 1, line 30, by striking the word "levied"
27 and inserting in lieu thereof the word "authorized".
28 4. Title page, by striking lines 1 through 3 and
29 inserting in lieu thereof the words "An Act relating
30 to the imposition of a hotel and motel tax by a city
31 or county."

S-3400 FILED - Adopted as amended by 3406 4/13 (1232) BY COMMITTEE ON WAYS AND MEANS
APRIL 20, 1977 NORMAN G. RODGERS, CHAIRPERSON

SENATE FILE 336

S-3455

1 Amend the Committee on Ways and Means amendment
2 S-3400, to Senate File 336 as follows:
3 1. Page 1, line 7, by striking the word "seven"
4 and inserting in lieu thereof the word "three".
5
6 S-3455 FILED & LOST (1431) BY ELIZABETH SHAW
7 APRIL 28, 1977

SENATE FILE 336

S-3454

1 Amend the Nolting amendment, S-3450, to Senate
2 File 336 as follows:
3 1. Page 1, line 40, by striking the figure
4 "3" and inserting in lieu thereof the figure "2".
5
6
7 S-3454 FILED & ADOPTED (1233) BY FRED NOLTING
APRIL 28, 1977

SENATE FILE 336

S-3450

1 Amend Senate File 336 as follows:

2 1. Page 1, lines 1 and 2, by striking the (DIV.A)
3 words "There is hereby imposed a tax of five percent"
4 and inserting in lieu thereof the words "A county with
5 a population of one hundred twenty-five thousand (125,000)
6 or more may impose by resolution of the board of
7 supervisors a county hotel and motel tax at a rate not
8 to exceed five percent ".
9 2. Page 1, by striking lines 14 through 16 and
10 inserting in lieu therof the following:
11 "The director of revenue shall administer the
12 provisions of a county hotel and motel tax as nearly as
13 possible in conjunction with the administration of the
14 state sales tax law. The director shall provide
15 appropriate forms for reporting local hotel and motel
16 tax liability.
17 The director, in consultation with county officials,
18 shall collect and account for a county hotel and motel
19 tax and shall credit all revenues to a "county transient
20 guest tax fund" established by section two (2) of this
21 Act.
22 No tax permit other than the state tax permit
23 required under section four hundred twenty-two point
24 fifty-three (422.53) of the Code may be required by local
25 authorities."
26 3. Page 1, line 30, by striking the word "levied"
27 and inserting in lieu thereof the word "authorized."
28 4. Page 1, line 33, by striking the word "LOCAL" (DIV.B)
29 and inserting in lieu thereof the word "COUNTY".
30 5. Page 1, line 35, by striking the word "local"
31 and inserting in lieu thereof the word "county".
32 6. Page 2, by striking lines 3 through 8 and
33 inserting in lieu thereof the following:
34 "2. All moneys in the county transient guest tax
35 fund shall be remitted at least quarterly by the
36 treasurer of state, pursuant to rules of the director
37 of revenue, to each county in the amount collected from
38 businesses in that county subject to the county hotel
39 and motel tax.
40 7. Page 3, by adding after line 11 the following
41 new section:
42 SEC. ___. NEW SECTION. USE OF REVENUES.
43 1. The revenue derived from any transient guest
44 tax authorized by this Act may only be used as follows:
45 a. Thirty (30) percent thereof shall be used for
46 the acquisition of sites for and the construction, improve-
47 ment, enlarging, equipping, repairing, operation, and
48 maintenance of convention center facilities including,
49 but not limited to, civic center convention buildings,
50 auditoriums, coliseums, and parking areas or facilities

1 for the parking or storage of motor vehicles or other
2 conveyances located at or in the immediate vicinity of (DIV.B)
3 the convention center facilities.
4 b. Fifty (50) percent thereof for any county
5 operations otherwise authorized by law as a proper
6 purpose for the expenditure of county revenues derived
7 from ad valorem taxes within statutory limitations, in
8 which event the maximum general tax levy of such county
9 within such limitations shall be reduced by a like amount.
10 c. Twenty (20) percent thereof for advertising for
11 general promotional and tourist advertising of the county
12 and its vicinity and for conducting a solicitation
13 program to attract conventions and visitors, operated
14 either by the county or through contracts with persons
15 or organizations selected by the county.
16 2. Any county which levies and collects a transient
17 guest tax which is authorized by this Act may pledge an
18 amount not to exceed thirty (30) percent of the revenue
19 derived therefrom to the payment of bonds which the
20 city may issue if such bonds are issued solely for one or
21 more of the purposes set forth in subsection one (1),
22 paragraph a, of this section."
23 8. Title page, by striking lines 1 through 3 and
24 inserting in lieu thereof the words "An Act relating to
25 the imposition of a hotel and motel tax by a county."

S-3450 FILED BY FRED W. NOLTING
APRIL 28, 1977
DIV. A - W/D (p. 1232)
DIV. B - LOST (p. 1233)

SENATE FILE 336

S-3451

1 Amend the Nolting amendment, S-3450, to Senate
2 File 336 as follows:
3 1. Page 2, by inserting after line 22 the
4 following:
5 "___. Page 2, line 9, by striking the words "or
6 city".
7 ___. Page 2, line 11, by striking the words "or
8 city"."
9
10
11 S-3451 FILED & ADOPTED (p. 1233) BY FRED NOLTING
12 APRIL 28, 1977

Was Ways & Means 5/2 Do pass per S.J. 36 2/22 (p. 642)

Senate File 336

Ways and Means: Gilloon, Chair; Rinas, Bins, O'Halloran, Thompson, Varley and Schnekloth.

TE FILE 336

By READINGER and SLATER

(AS AMENDED AND PASSED BY THE SENATE APRIL 28, 1977)

Passed Senate, Date 5-12-78 (p. 1800) ~~Passed~~ Failed House, Date 3-21-78 (p. 1113)

Vote: Ayes 28 Nays 15 Vote: Ayes 43 Nays 47

Approved June 14, 1978

Motion to reconsider p. 1114
Reconsidered and Passed 5-11-78 (p. 2[illegible])
55-42

A BILL FOR

Motion to recede p. 2059

1 An Act relating to the imposition of a hotel and motel tax
2 by a city or county.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 6520 [illegible]
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14 [redacted] = New Language
15 by the Senate
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S.F. 336 H.F. _____

Section 1. NEW SECTION. HOTEL AND MOTEL TAX. A city or county may impose by ordinance of the city council or by resolution of the board of supervisors a hotel and motel tax, at a rate not to exceed seven percent, upon the gross receipts from the renting of any and all rooms, apartments, or sleeping quarters in any hotel, motel, inn, public lodging house, rooming house, or tourist court, or in any place where sleeping accommodations are furnished to transient guests for rent, whether with or without meals. "Renting" and "rent" include any kind of direct or indirect charge for such rooms, apartments, sleeping quarters, or the use thereof. However, such tax shall not apply to the gross receipts from the renting of a room, apartment, or sleeping quarters while rented by the same person for a period of more than thirty-one consecutive days.

If any city has imposed a hotel and motel tax, the county in which the city is located may also impose a hotel and motel tax. However, such tax shall apply only to those incorporated and unincorporated areas of the county which do not have a hotel and motel tax. The county hotel and motel tax shall apply to any city which subsequently repeals its hotel and motel tax.

The director of revenue shall administer the provisions of a local hotel and motel tax as nearly as possible in conjunction with the administration of the state sales tax law. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local hotel and motel tax liability.

The director, in consultation with local officials, shall collect and account for a local hotel and motel tax and shall credit all revenues to a "local transient guest tax fund" established by section two (2) of this Act.

No tax permit other than the state tax permit required under section four hundred twenty-two point fifty-three (422.53) of the Code may be required by local authorities.

1 The tax herein levied shall be in addition to any state
2 sales tax imposed under section four hundred twenty-two point
3 forty-three (422.43) of the Code. The provisions of sections
4 four hundred twenty-two point twenty-five (422.25), subsection
5 four (4), four hundred twenty-two point thirty (422.30), four
6 hundred twenty-two point forty-eight (422.48) through four
7 hundred twenty-two point fifty-eight (422.58), four hundred
8 twenty-two point sixty-seven (422.67), four hundred twenty-
9 two point sixty-eight (422.68), four hundred twenty-two point
10 sixty-nine (422.69), subsection one (1), and four hundred
11 twenty-two point seventy (422.70) through four hundred twenty-
12 two point seventy-five (422.75) of the Code, consistent with
13 the provisions of this Act, shall apply with respect to the
14 taxes authorized under this Act, in the same manner and with
15 the same effect as if the hotel and motel taxes were gross
16 receipts taxes within the meaning of those statutes.
17 Sec. 2. NEW SECTION. LOCAL TRANSIENT GUEST TAX FUND.
18 1. There is created in the office of the treasurer of
19 state a local transient guest tax fund which shall consist
20 of all moneys credited to such fund under section one (1)
21 of this Act.
22 2. All moneys in the local transient guest tax fund shall
23 be remitted at least quarterly by the treasurer of state,
24 pursuant to rules of the director of revenue, to each city
25 in the amount collected from businesses in that city and to
26 each county in the amount collected from businesses in the
27 unincorporated areas of the county.
28 3. All moneys received by the county or city from this
29 fund shall be credited to the general fund of such county
30 or city.
31 Sec. 3. This Act is effective January 1, 1978.
32 EXPLANATION
33 This bill imposes a tax on the renting of sleeping
34 accommodations at the rate of five percent of the gross
35 receipts. The revenue is to be remitted to the city or

1 unincorporated area of the county where the revenue came from.
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HOUSE AMENDMENT TO SENATE FILE 336

S-5899

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 4, by inserting after the word
4 "percent," the words "which shall be imposed in
5 increments of one or more full percentage points".
6 2. Page 1, line 9, by inserting after the word
7 "meals" the words "except the gross receipts from
8 the renting of sleeping rooms in dormitories and in
9 memorial unions at all state of Iowa universities
10 and colleges".
11 3. Page 1, line 9, by inserting after the word
12 "meals." the following: "The tax when imposed by
13 a city shall apply only within the corporate boundaries
14 of that city and when imposed by a county shall apply
15 only outside incorporated areas within that county."
16 4. Page 1, by inserting after line 15, the
17 following new paragraph:
18 "A local hotel and motel tax shall be imposed on
19 January first, April first, July first, or September
20 first, following the notification of the director
21 of revenue. Once imposed, the tax shall remain in
22 effect at the rate imposed for a minimum of one year.
23 A local hotel and motel tax shall terminate only on
24 March thirty-first, June thirtieth, September
25 thirtieth, or December thirty-first. At least sixty
26 days prior to the tax being effective or prior to
27 a revision in the tax rate, or prior to the repeal
28 of the tax, a city or county shall provide notice
29 by certified mail of such action to the director of
30 revenue."
31 5. Page 1, by inserting after line 15 the following
32 paragraph:
33 "A city or county shall impose a hotel and motel
34 tax, only after an election at which a majority of
35 those voting on the question favors imposition. The
36 election shall be held at the time of that city's
37 or county's general election."
38 6. Page 1, by striking lines 16 through 22.
39 7. Page 1, line 28, by inserting after the word
40 "liability." the following: "All moneys received
41 or refunded one hundred eighty days after the date
42 on which a city or county terminates its local hotel
43 and motel tax shall be deposited in or withdrawn from
44 the state general fund."
45 8. Page 2, line 7, by inserting after the word
46 "point" the following: "fifty-two (422.52), four
47 hundred twenty-two point fifty-four (422.54) through
48 four hundred twenty-two point".
49 9. Page 2, lines 15 and 16, by striking the words
50 "gross receipts" and inserting in lieu thereof the

1 words "retail sales".
2 10. Page 2, line 16, by inserting after the word
3 "statutes." the following: "Notwithstanding the
4 provisions of this paragraph, the director shall
5 provide for only quarterly filing of returns as
6 prescribed in section four hundred twenty-two point
7 fifty-one (422.51) of the Code. Further, the director
8 may require all persons as defined in section four
9 hundred twenty-two point forty-two (422.42) of the
10 Code, who are engaged in the business of deriving
11 gross receipts subject to tax under this Act, to
12 register with the department."
13 11. Page 2, line 28, by striking the words "All
14 moneys" and inserting in lieu thereof the word
15 "Moneys".
16 12. Page 2, line 30, by adding after the word
17 "city" the words ", subject to the provisions of
18 subsection four (4) of this section".
19 13. Page 2, by adding after line 30 the following
20 new subsection:
21 "4. The revenue derived from any hotel and motel
22 tax authorized by this Act shall be used as follows:
23 a. Each county or city which levies the tax shall
24 spend at least fifty percent of the revenues derived
25 therefrom for the acquisition of sites for, or
26 constructing, improving, enlarging, equipping,
27 repairing, operating, or maintaining of recreation,
28 convention, cultural, or entertainment facilities
29 including but not limited to memorial buildings, halls
30 and monuments, civic center convention buildings,
31 auditoriums, coliseums, and parking areas or facilities
32 located at those recreation, convention, cultural,
33 or entertainment facilities or the payment of principal
34 and interest, when due, on bonds or other evidence
35 of indebtedness issued by the county or city for those
36 recreation, convention, cultural, or entertainment
37 facilities; or for the promotion and encouragement
38 of tourist and convention business in the city or
39 county and surrounding areas.
40 b. The remaining revenues may be spent by the
41 city or county which levies the tax for any city or
42 county operations authorized by law as a proper purpose
43 for the expenditure within statutory limitations of
44 city or county revenues derived from ad valorem taxes.
45 c. Any city or county which levies and collects
46 the hotel and motel tax authorized by this Act may
47 pledge an amount not to exceed thirty percent of the
48 revenues derived therefrom to the payment of bonds
49 which the city or county may issue for one or more
50 of the purposes set forth in paragraph a of this

1 subsection. Any revenue pledged to the payment of
2 such bonds may be credited to the spending requirement
3 of paragraph a of this subsection."
4 14. Page 2, by striking line 31.
5 15. Title page, line 2, by inserting after the
6 word "county" the words "and providing penalties".

RECEIVED FROM THE HOUSE

H-6320

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. NEW SECTION. LOCAL SALES AND SERVICE
6 TAX. A local sales and service tax at a rate of one
7 percent may be imposed by a county on the gross
8 receipts, except the gross receipts from the sale
9 of any motor vehicle, machine or equipment exclusively
10 designed for and used for agricultural purposes, taxed
11 by the state under chapter four hundred twenty-two
12 (422), division four (IV), of the Code. A local sales
13 and service tax shall be imposed on the same basis
14 as the state sales and service tax and shall not be
15 imposed on the sale of any property or service not
16 taxed by the state. A local sales and service tax
17 is applicable only to transactions within the
18 territorial limits of the county imposing it and shall
19 be collected by all persons required to collect state
20 sales and service taxes.
21 The amount of the sale or service, for purposes
22 of determining the amount of the local sales and
23 service tax, does not include the amount of any state
24 gross receipts tax.
25 No tax permit other than the state tax permit
26 required under section four hundred twenty-two point
27 fifty-three (422.53) of the Code may be required by
28 local authorities.
29 Sec. 2. NEW SECTION. ADMINISTRATION. A local
30 sales and service tax shall be imposed on July first
31 following the passage of a resolution of the board
32 of supervisors.
33 The director of revenue shall administer the
34 provisions of a local sales and service tax as nearly
35 as possible in conjunction with the administration
36 of state sales and service tax laws. The director
37 shall provide appropriate forms, or provide on the
38 regular state tax forms, for reporting local sales
39 and service tax liability.
40 A resolution of a county board of supervisors
41 imposing a local sales and service tax shall adopt
42 by reference the applicable provisions of the
43 appropriate sections of chapter four hundred twenty-
44 two (422), division four (IV), of the Code for a local
45 sales and service tax, and all powers of the director
46 and requirements of the director in administering
47 the state sales and service tax law are applicable
48 to the administration of a local sales and service
49 tax law including but not limited to powers to impose
50 interest and penalties, and requirements for hearing

1 and appeal. Local officials shall confer with the
2 director of revenue and obtain assistance in drafting
3 the resolution imposing a local sales and service
4 tax. A certified copy of the resolution imposing
5 a local sales and service tax shall be filed with
6 the director as soon as possible after passage.
7 The director, in consultation with local officials,
8 shall collect and account for a local sales and service
9 tax. The director shall not retain for the use of
10 the department of revenue any sales and service tax
11 receipts to cover administrative expense. All local
12 sales and service tax receipts shall be credited to
13 a "local tax fund" hereby established in the office
14 of the treasurer of state.
15 Sec. 3. NEW SECTION. COUNTYWIDE SHARES. The
16 treasurer of state shall credit the local sales and
17 service tax receipts to a joint account in the local
18 tax fund and shall remit quarterly to each city in
19 the county a pro rata share of the joint account,
20 based upon the percentage of its population residing
21 in the county to the total population of the county,
22 and to the board of supervisors a pro rata share of
23 the joint account based upon the percentage of
24 population in the county outside of cities, all
25 according to the population determined by the most
26 recent certified federal census.
27 Sec. 4. This Act is effective January 1, 1979."
28 2. Amend the title, line 1, by inserting after
29 the word "of" the words "a sales and service tax
30 including".

H-6320 FILED [illegible] BY KOOGLER of Mahaska
APRIL 25, 1978 [illegible] BINA of Scott

SENATE FILE 336

H-6321

1 Amend the amendment H-6320 to Senate File 336,
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 20 the following
5 paragraph:
6 "A county shall impose a sales and service tax
7 only after an election at which a majority of those
8 voting on the question favors imposition. The election
9 shall be held at the time of the county's general
10 election."
11 2. Page 1, line 31, by striking the words "the
12 passage of a" and inserting in lieu thereof the words
13 "a favorable election by".

H-6321 FILED [illegible] BY BINA ofScott
APRIL 25, 1978 [illegible]

SENATE FILE 336

H-5307

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 30 the following
4 new sections:
5 "Sec. ___. NEW SECTION. CITY PROPERTY TAX RELIEF.
6 Fifty percent of all local hotel and motel tax moneys
7 credited by a city to its general fund shall be
8 deposited in a special account for property tax relief.
9 The moneys deposited in the special account for
10 property tax relief shall be used to provide property
11 tax relief by one of the following means:
12 1. A special homestead tax credit for each
13 homestead which qualified for the homestead tax credit
14 granted pursuant to section four hundred twenty-five
15 point one (425.1) of the Code shall be granted. The
16 county auditor shall, upon the request of the city
17 treasurer, certify to the city treasurer the number
18 of homesteads within the limits of the city which
19 have qualified for the homestead tax credit and a
20 description of each qualified homestead. The city
21 treasurer shall divide the total amount of dollars
22 in the special account for property tax relief by
23 the number of qualified homesteads within the corporate
24 limits of the city to determine the pro rata amount
25 of the special homestead tax credit to be granted
26 to each qualified homestead, except that a taxpayer
27 shall not receive credits in excess of his or her
28 property tax liability. Any such excess credit shall
29 be credited back to the special account for property
30 tax relief to provide property tax relief in the next
31 succeeding year. The city treasurer shall certify
32 to the county auditor the description of each qualified
33 homestead and the amount of additional homestead tax
34 credit each qualified homestead shall receive.
35 In any special charter city which levies and
36 collects its own taxes, the county auditor shall,
37 upon the request of the city clerk, certify to the
38 city clerk the number of homesteads within the limits
39 of the special charter city which have qualified for
40 the homestead tax credit and a description of each
41 qualified homestead. The city clerk shall divide
42 the total amount of dollars in the special account
43 for property tax relief by the number of qualified
44 homesteads within the corporate limits of the special
45 charter city to determine the pro rata amount of the
46 special homestead tax credit to be granted to each
47 qualified homestead, except that a taxpayer shall
48 not receive credits in excess of his or her property
49 tax liability. Any such excess credit shall be
50 credited back to the special account for property

1 tax relief to provide property tax relief in the next
2 succeeding year. The city clerk shall certify to
3 the city treasurer the amount of additional homestead
4 tax credit each qualified homestead shall receive.
5 2. Before the levies authorized under section
6 three hundred eighty-four point one (384.1) of the
7 Code are certified to the county auditor, the
8 certifying official shall subtract from the total
9 amount computed in dollars, as provided in section
10 four hundred forty-four point two (444.2) of the Code,
11 an amount equal to the amount credited to the special
12 account for property tax relief during the last
13 preceding twelve-month period, and shall certify only
14 the net amount to the county auditor and board of
15 supervisors. Before the levies authorized under
16 section three hundred eighty-four point one (384.1)
17 of the Code are certified by the city clerk in any
18 special charter city which levies and collects its
19 own taxes, the certifying official shall subtract
20 from the total amount computed in dollars, as provided
21 in section four hundred forty-four point two (444.2)
22 of the Code, an amount equal to the amount credited
23 to the special account for property tax relief during
24 the last preceding twelve-month period, and shall
25 certify only the net amount to the city treasurer
26 and city council. The limit on a city's tax levy
27 for the general fund, as stated in section three
28 hundred eighty-four point one (384.1) of the Code,
29 shall be reduced each year by the levy which would
30 be necessary to replace the amount credited to the
31 special account for property tax relief during the
32 last preceding twelve-month period. The county auditor
33 shall base the levies authorized under section four
34 hundred forty-four point three (444.3) of the Code
35 upon the net amount so computed.
36 In order for a city to be qualified to receive
37 remittances from the treasurer of state under this
38 Act, the city clerk, before July fifteenth of each
39 year, shall certify to the treasurer of state that
40 property tax relief has been provided as required
41 under this section.
42 Sec. ___. NEW SECTION. COUNTY PROPERTY TAX RELIEF.
43 Fifty percent of all local hotel and motel tax moneys
44 credited by a county to its general fund shall be
45 deposited in a special account for property tax relief.
46 The moneys deposited in the special account for
47 property tax relief shall be used to provide property
48 tax relief by one of the following means:
49 1. A special homestead tax credit for each
50 homestead in the entire county which qualified for

the homestead tax credit granted pursuant to section four hundred twenty-five point one (425.1) of the Code shall be granted. The county auditor shall divide the total amount of dollars in the special account for property tax relief by the number of qualified homesteads within the entire county to determine the pro rata amount of the special homestead tax credit to be granted to each qualified homestead, except that a taxpayer shall not receive credits in excess of his or her property tax liability. Any such excess credit shall be credited back to the special account for property tax relief to provide property tax relief in the next succeeding year.

2. Before the levies authorized under section four hundred forty-four point nine (444.9) of the Code are made, the board of supervisors shall subtract from the total amount computed in dollars, as provided in section four hundred forty-four point two (444.2) of the Code, an amount equal to the amount credited to the special account for property tax relief during the last preceding twelve-month period, and shall base the levies authorized under section four hundred forty-four point nine (444.9) of the Code upon the net amount so computed.

In order for a county to be qualified to receive remittances from the treasurer of state under this Act, the board of supervisors, before July fifteenth of each year, shall certify to the treasurer of state that property tax relief has been provided as required under this section."

H-5807 FILED BY BENNETT of Ida
MARCH 28, 1978

SENATE FILE 336

H-5803

Amend Senate File 336, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 30 the following section:

"Sec. ___. Section four hundred twenty-two point forty-five (422.45), Code 1977 Supplement, is amended by adding the following new subsection:

NEW SUBSECTION. The gross receipts from the renting of any and all rooms, apartments or sleeping quarters in any hotel, motel, inn, public lodging house, rooming house or tourist court or in any other place where sleeping accommodations are furnished to transient guests for rent whether with or without meals if those gross receipts are subject to a hotel and motel tax imposed pursuant to this Act."

H-5803 FILED BY HARVEY of Scott
MARCH 28, 1978 SCHNEKLOTH of Scott

SENATE FILE 336

H-5802

Amend Senate File 336, as amended, passed and reprinted by the Senate, as follows:

1. Page 1, line 15, by inserting after the word "days." the words "Only a city or county with a population of over one hundred thousand as determined by the latest certified federal census shall impose a hotel and motel tax."

H-5802 FILED BY HARBOR of Mills
MARCH 28, 1978

SENATE FILE 336

H-5797

1 Amend Senate File 336, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 29, by inserting after the word
4 "credited" the words ", with forty percent of the
5 moneys to be used to provide property tax relief in
6 that city or unincorporated areas of that county,".

H-5797 FILED [illegible] BY BINA of Scott
MARCH 28, 1978 [illegible]

SENATE FILE 336

H-5798

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 16 the following
4 paragraph:
5 "Any reference in this Act to a city's or county's
6 general election shall mean any bond, franchise,
7 annexation, special, regular, general or other
8 jurisdiction-wide election of a city or county."

H-5798 FILED [illegible] BY BINA of Scott
MARCH 28, 1978 [illegible] HORN of Linn
CUSACK of Scott

SENATE FILE 336

H-5799

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 4, by striking the words "not
4 to exceed seven" and inserting in lieu thereof the
5 words "of from two to six".

H-5799 FILED [illegible] BY BINA of Scott
MARCH 28, 1978 [illegible]

SENATE FILE 336

H-5800

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 9, by inserting after the word
4 "meals" the words "except the gross receipts from
5 the renting of sleeping rooms in dormitories and in
6 memorial unions at all state of Iowa universities
7 and colleges."

H-5800 FILED [illegible] BY MENKE of O'Brien
MARCH 28, 1978 [illegible] SCHNEKLOTH of Scott

SENATE FILE 336

H-5801

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 14, by striking the word "thirty-
4 one" and inserting in lieu thereof the words "one
5 hundred eighty-one".

H-5801 FILED [illegible] BY HARVEY of Scott
MARCH 28, 1978 [illegible]

SENATE FILE 336

H-5749

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 16 the follow-
4 ing paragraph:
5 "All employees and offices of any tax-certifying
6 or tax-levying body of the state of Iowa or
7 governmental subdivision thereof including all
8 departments, divisions, boards, commissions, agencies
9 or instrumentalities of the state, county or municipal
10 government, while in the course of their employment
11 or function of office, are exempt from the tax imposed
12 under this Act. The director of revenue shall provide
13 rules for the implementation of this exemption."

H-5749 FILED [illegible] BY HORN of Linn
MARCH 22, 1978 [illegible]

SENATE FILE 336

H-5750

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, line 1, by striking the words "addition
4 to" and inserting in lieu thereof the words "lieu of
5 an equal rate of".

H-5750 FILED [illegible] BY HORN of Linn
MARCH 22, 1978 [illegible]

SENATE FILE 336

H-5795

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 30 the following
4 subsection:
5 "___. Fifty percent of all moneys credited under
6 this section to the general fund of any county or
7 city shall be used to provide property tax relief
8 in that city or unincorporated areas of that county
9 for the fiscal year following the fiscal year in which
10 such moneys were received."

H-5795 FILED [illegible] BY BINA of Scott
MARCH 28, 1978 [illegible] HARVEY of Scott
HORN of Linn
CUSACK of Scott

SENATE FILE 336

H-5796

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 30, by inserting after the word
4 "city" the words ", to provide property tax relief
5 in that city or unincorporated areas of that county".

H-5796 FILED [illegible] BY BINA of Scott
MARCH 28, 1978 [illegible]

SENATE FILE 336

H-5588

1 Amend amendment H-5426 to Senate File 336 as passed
2 by the Senate and reprinted, as follows:
3 1. Page 1, line 6, by striking the word "The".
4 2. Page 1, by striking all of lines 7 and 8.

H-5588 FILED Lost 3/21 (p. 1109) BY LIPSKY of Linn
MARCH 8, 1978

SENATE FILE 336

H-5590

1 Amend amendment H-5559, to Senate File 336, as
2 passed by the Senate and reprinted, as follows:
3 1. Page I, line 8, by striking the word and
4 figures "Twenty-five (25)" and inserting in lieu
5 thereof the word "Ten".
6 2. Page 1, line 14, by inserting after the
7 word "entertainment" the word ", recreational".

H-5590 FILED Lost 3/8 (p. 861) BY SVOBODA of Iowa
MARCH 8, 1978

SENATE FILE 336

H-5591

1 Amend Senate File 336 as follows:
2 1. Page 2, by inserting after line 30 the
3 following new section:
4 "Sec. ___. NEW SECTION. A city which is
5 remitted funds pursuant to section two (2) of this
6 act may erect signs or purchase existing signs on
7 the right of way of the highways in this state
8 advertising the existence of the number and type
9 of hotels and motels within that city. Such signs
10 may be erected or purchased from funds remitted
11 to the city pursuant to section two (2) of this act.

H-5591 FILED Lost 3/8 (p. 869) BY SMALL of Johnson
MARCH 8, 1978

SENATE FILE 336

H-5592

1 Amend amendment H-5559, to Senate File 336, as
2 passed by the Senate and reprinted, as follows:
3 1. Page 1, by inserting after line 23, the
4 following lettered paragraph:
5 "(b) Seventy-five percent to be credited to the
6 general fund of the city or county."

H-5592 FILED Lost 3/8 (p. 862) BY CONLON of Muscatine
MARCH 8, 1978
Reconsidered & Adopted (p. 862)

Amend Senate File 336, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, by inserting after line 30 the following sections:

"Sec. 3. Chapter three hundred eighty-four (384), Code 1977, is amended by adding sections four (4) through ten (10) of this Act as a new division of this chapter.

Sec. 4. NEW SECTION. DEFINITIONS. As used in this Act, unless the context otherwise requires:

1. "Fuel" means "motor fuel" as defined in section three hundred twenty-four point two (324.2) of the Code, and "special fuel" as defined in section three hundred twenty-four point thirty-three (324.33) of the Code.

2. "Distributor", "dealer", and "user" have the same meanings and include any person defined as a "distributor", "dealer, agent, and consignee", "special fuel dealer" or "special fuel user", in sections three hundred twenty-four point two (324.2) and three hundred twenty-four point thirty-three (324.33) of the Code.

3. "Director" means the director of revenue.

4. "Eligible elector" means "eligible elector" as defined in section thirty-nine point three (39.3) of the Code.

Sec. 5. NEW SECTION. LOCAL FUEL TAX. A local fuel tax at a rate of one cent per gallon may be imposed by a city, after approval by the voters of that city, on fuel the use of which is taxed by the state under sections three hundred twenty-four point three (324.3) or three hundred twenty-four point thirty-four (324.34) of the Code, and which is received by a distributor, dealer or user for sale or use at a place of business within the city.

Sec. 6. NEW SECTION. ELECTION. Upon its own motion, or upon receipt of a petition signed by the eligible electors within a city equal in number to at least ten percent of the number of persons who voted at the last preceding regular municipal election, requesting that an election be held, the city council shall direct the county commissioner of elections to submit to the voters of the city, at the next regular city election or at a special election called for that purpose, the question of imposing a local fuel tax. Prior to the election, the county commissioner of elections shall publish notice of the election on this question at least twice in the manner provided in section three hundred sixty-two point three (362.3) of the Code.

An election shall not be held unless one of the

SENATE FILE 336

H-5830

1 Amend Senate File 336, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 30 the following
4 subsection:
5 "___. Forty percent of all moneys credited under
6 this section to the general fund of any county or
7 city shall be used to provide property tax relief
8 in that city or unincorporated areas of that county
9 for the fiscal year following the fiscal year in which
10 such moneys were received."

H-5830 FILED BY BINA of Scott
MARCH 29, 1978

1 required notices is published at least sixty days
2 prior to said election.
3 If a majority of those voting favor the imposition
4 of a local fuel tax, the council shall impose the
5 tax by ordinance, as provided in this Act. A local
6 fuel tax imposed under this section may be discontinued
7 by the council by ordinance, or by petition and
8 election in the same manner as provided for imposition
9 of the tax.
10 The question of imposing or discontinuing a local
11 fuel tax shall not be submitted to the voters within
12 one year after an election on either question.
13 Sec. 7. NEW SECTION. PAYMENT OF TAX--
14 ADMINISTRATION. A local fuel tax shall be paid to
15 the director at the same time the state fuel tax is
16 paid, by each distributor, dealer or user subject
17 to the tax.
18 The director shall administer the provisions of
19 a local fuel tax as nearly as possible in conjunction
20 with the administration of state fuel tax laws. The
21 director shall provide appropriate forms, or provide
22 on the regular state fuel tax forms, for reporting
23 local fuel tax liability.
24 An ordinance of a city council imposing a local
25 fuel tax shall adopt by reference the applicable
26 provisions of the appropriate sections of chapter
27 three hundred twenty-four (324) of the Code, and all
28 powers of the director to administer the state fuel
29 tax law are applicable to the administration of a
30 local fuel tax ordinance. Local officials shall
31 confer with the director and obtain the director's
32 assistance in drafting the ordinance imposing a local
33 fuel tax. A certified copy of the ordinance imposing
34 a local fuel tax shall be filed with the director
35 as soon as possible after passage.
36 The director, in consultation with local officials,
37 shall collect and account for a local fuel tax. The
38 director shall credit local fuel tax receipts to a
39 local fuel tax fund hereby established in the office
40 of the treasurer of state.
41 The treasurer of state shall remit quarterly to
42 the cities which have imposed a local fuel tax their
43 share of the balance in the local fuel tax fund.
44 The local fuel tax fund is appropriated for this
45 purpose.
46 Sec. 8. NEW SECTION. USE OF REVENUES. Local
47 fuel tax revenues shall be deposited by the city in
48 a special fund, to be used only for repair, resurfacing
49 or reconstruction in kind of streets which are the
50 city's responsibility. After a period of one year

from the effective date of a local fuel tax ordinance and so long as the ordinance remains in effect, no special assessments may be levied by the city under Division four (IV) of this chapter for repair, resurfacing or reconstruction in kind of streets.

Sec. 9. NEW SECTION. PENALTIES--LIEN. Penalties for failure to report and pay a local fuel tax when due are the same as those provided for state fuel taxes under section three hundred twenty-four point sixty-five (324.65) of the Code, and local fuel taxes shall be added to the amount of the lien provided in section three hundred twenty-four point sixty-six (324.66) of the Code. The portion of the lien attributable to local fuel taxes shall be enforced by the state and have priority immediately after state taxes.

Sec. 10. NEW SECTION. ENFORCEMENT BY DIRECTOR.

1. The director shall consider and include the liability of a distributor, dealer, or user for local fuel taxes, including interest and penalties, in making all determinations and in administering all enforcement provisions relating to state fuel taxes, as provided in chapter three hundred twenty-four (324) of the Code, subject to the same limitations as provided in that chapter.

2. If a refund is granted by the department of revenue under any provisions of chapter three hundred twenty-four (324) of the Code on fuel on which a local fuel tax was paid, the department shall also refund the local fuel tax paid on the same fuel, in the same manner and at the same time as the state fuel tax is refunded.

3. The department of revenue shall provide by rules promulgated under section three hundred twenty-four point fifty-nine (324.59) of the Code for the cooperative action of cities and the department of revenue in enforcing the payment of local fuel taxes in conjunction with state fuel taxes."

H-5583 FILED Not germane 3/8 (p. 868) BY JUNKER of Woodbury
MARCH 7, 1978 DOYLE of Woodbury

SENATE FILE 336

H-5584

Amend Senate File 336 as follows:

1. Page 1, line 4, by inserting after the word "percent," the words "which shall be imposed in increments of one or more full percentage points".

H-5584 FILED Adopted 3/9 (p 788) BY NIELSEN of Polk
MARCH 7, 1978

H-5573

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by striking lines 28 through 30 and
4 inserting in lieu thereof the following new sections:
5 "Sec. ___. NEW SECTION. CITY PROPERTY TAX RELIEF.
6 All local hotel and motel tax moneys received by a
7 city shall be deposited in a special account for
8 property tax relief. The moneys deposited in the
9 special account for property tax relief shall be used
10 to provide property tax relief by one of the following
11 means:
12 1. A special homestead tax credit for each
13 homestead which qualified for the homestead tax credit
14 granted pursuant to section four hundred twenty-five
15 point one (425.1) of the Code shall be granted. The
16 county auditor shall, upon the request of the city
17 treasurer, certify to the city treasurer the number
18 of homesteads within the limits of the city which
19 have qualified for the homestead tax credit and a
20 description of each qualified homestead. The city
21 treasurer shall divide the total amount of dollars
22 in the special account for property tax relief by
23 the number of qualified homesteads within the corporate
24 limits of the city to determine the pro rata amount
25 of the special homestead tax credit to be granted
26 to each qualified homestead, except that a taxpayer
27 shall not receive credits in excess of his or her
28 property tax liability. Any such excess credit shall
29 be credited back to the special account for property
30 tax relief to provide property tax relief in the next
31 succeeding year. The city treasurer shall certify
32 to the county auditor the description of each qualified
33 homestead and the amount of additional homestead tax
34 credit each qualified homestead shall receive.
35 In any special charter city which levies and
36 collects its own taxes, the county auditor shall,
37 upon the request of the city clerk, certify to the
38 city clerk the number of homesteads within the limits
39 of the special charter city which have qualified for
40 the homestead tax credit and a description of each
41 qualified homestead. The city clerk shall divide
42 the total amount of dollars in the special account
43 for property tax relief by the number of qualified
44 homesteads within the corporate limits of the special
45 charter city to determine the pro rata amount of the
46 special homestead tax credit to be granted to each
47 qualified homestead, except that a taxpayer shall
48 not receive credits in excess of his or her property
49 tax liability. Any such excess credit shall be
50 credited back to the special account for property

1 tax relief to provide property tax relief in the next
2 succeeding year. The city clerk shall certify to
3 the city treasurer the amount of additional homestead
4 tax credit each qualified homestead shall receive.
5 2. Before the levies authorized under section
6 three hundred eighty-four point one (384.1) of the
7 Code are certified to the county auditor, the
8 certifying official shall subtract from the total
9 amount computed in dollars, as provided in section
10 four hundred forty-four point two (444.2) of the Code,
11 an amount equal to the amount credited to the special
12 account for property tax relief during the last
13 preceding twelve-month period, and shall certify only
14 the net amount to the county auditor and board of
15 supervisors. Before the levies authorized under
16 section three hundred eighty-four point one (384.1)
17 of the Code are certified by the city clerk in any
18 special charter city which levies and collects its
19 own taxes, the certifying official shall subtract
20 from the total amount computed in dollars, as provided
21 in section four hundred forty-four point two (444.2)
22 of the Code, an amount equal to the amount credited
23 to the special account for property tax relief during
24 the last preceding twelve-month period, and shall
25 certify only the net amount to the city treasurer
26 and city council. The limit on a city's tax levy
27 for the general fund, as stated in section three
28 hundred eighty-four point one (384.1) of the Code,
29 shall be reduced each year by the levy which would
30 be necessary to replace the amount credited to the
31 special account for property tax relief during the
32 last preceding twelve-month period. The county auditor
33 shall base the levies authorized under section four
34 hundred forty-four point three (444.3) of the Code
35 upon the net amount so computed.
36 In order for a city to be qualified to receive
37 remittances from the treasurer of state under this
38 Act, the city clerk, before July fifteenth of each
39 year, shall certify to the treasurer of state that
40 property tax relief has been provided as required
41 under this section.
42 Sec. ___. NEW SECTION. COUNTY PROPERTY TAX RELIEF.
43 All local hotel and motel tax moneys received by a
44 county shall be deposited in a special account for
45 property tax relief. The moneys deposited in the
46 special account for property tax relief shall be used
47 to provide property tax relief by one of the following
48 means:
49 1. A special homestead tax credit for each
50 homestead in the entire county which qualified for

1 the homestead tax credit granted pursuant to section
2 four hundred twenty-five point one (425.1) of the
3 Code shall be granted. The county auditor shall
4 divide the total amount of dollars in the special
5 account for property tax relief by the number of
6 qualified homesteads within the entire county to
7 determine the pro rata amount of the special homestead
8 tax credit to be granted to each qualified homestead,
9 except that a taxpayer shall not receive credits in
10 excess of his or her property tax liability. Any
11 such excess credit shall be credited back to the
12 special account for property tax relief to provide
13 property tax relief in the next succeeding year.
14 2. Before the levies authorized under section
15 four hundred forty-four point nine (444.9) of the
16 Code are made, the board of supervisors shall subtract
17 from the total amount computed in dollars, as provided
18 in section four hundred forty-four point two (444.2)
19 of the Code, an amount equal to the amount credited
20 to the special account for property tax relief during
21 the last preceding twelve-month period, and shall
22 base the levies authorized under section four hundred
23 forty-four point nine (444.9) of the Code upon the
24 net amount so computed.
25 In order for a county to be qualified to receive
26 remittances from the treasurer of state under this
27 Act, the board of supervisors, before July fifteenth
28 of each year, shall certify to the treasurer of state
29 that property tax relief has been provided as required
30 under this section."

H-5573 FILED Out of order 3/8 (p. 864) BY BENNETT of Ida
MARCH 7, 1978

SENATE FILE 336

H-5574

1 Amend H-5559 to Senate File 336, as amended,
2 passed and reprinted by the Senate, as follows:
3 1. Page 1, by striking all of lines 10 and
4 11 and inserting in lieu thereof the words "tion
5 business in the city or county from which the tax
6 was collected, or the acquisition of sites for, or"

H-5574 FILED Lost 3/8 (p. 861) BY SCHNEKLOTH of Scott
MARCH 7, 1978

SENATE FILE 336

H-5572

1 Amend H-5569 to Senate File 336 as follows:
2 1. Page 1, line 10, by inserting after the word
3 "purposes" the words "and the gross reciepts from the
4 sale of a mobile home and gas and electric service".

H-5572 FILED Out of order 3/8 (p. 865) BY CLARK of Lee
MARCH 7, 1978

SENATE FILE 336

H-5571

1 Amend Senate File 336 as amended, passed, and
2 reprinted by the Senate as follow:
3 1. Page 2, line 28, by striking the words "All
4 moneys" and inserting in lieu thereof the word
5 "Moneys".
6 2. Page 2, line 30, by adding after the word
7 "city" the words ", subject to the provisions of
8 subsection four (4) of this section".
9 3. Page 2, by adding after line 30 the follow-
10 ing new subsection:
11 "4. The revenue derived from any hotel and motel
12 tax authorized by this Act shall be used as follows:
13 a. Each county or city which levies the tax shall
14 spend at least fifty percent of the revenues derived
15 therefrom for the acquisition of sites for, or
16 constructing, improving, enlarging, equipping,
17 repairing, operating, or maintaining of recreation,
18 convention, cultural, or entertainment facilities
19 including but not limited to memorial buildings, halls
20 and monuments, civic center convention buildings,
21 auditoriums, coliseums, and parking areas or facili-
22 ties located at those recreation, convention,
23 cultural, or entertainment facilities or the payment
24 of principal and interest, when due, on bonds or other
25 evidence of indebtedness issued by the county or city
26 for those recreation, convention, cultural, or
27 entertainment facilities; or for the promotion and
28 encouragement of tourist and convention business in
29 the city or county and surrounding areas.
30 b. The remaining revenues may be spent by the
31 city or county which levies the tax for any city or
32 county operations authorized by law as a proper purpose
33 for the expenditure within statutory limitations of
34 city or county revenues derived from ad valorem taxes.
35 c. Any city or county which levies and collects
36 the hotel and motel tax authorized by this Act may
37 pledge an amount not to exceed thirty percent of the
38 revenues derived therefrom to the payment of bonds
39 which the city or county may issue for one or more
40 of the purposes set forth in paragraph a of this
41 subsection. Any revenue pledged to the payment of
42 such bonds may be credited to the spending requirement
43 of paragraph a of this subsection."

H-5571 FILED Lost 3/8 BY WOODS of Polk
MARCH 7, 1978 (p. 860) WYCKOFF of Benton
Reconsidered & adopted 3/8 (p. 864) CHIODO of Polk
GILSON of Guthrie
DANKER of Pottawattamie

1 Amend Senate File 336 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 30 the following
4 sections:
5 "Sec. ___. NEW SECTION. LOCAL SALES AND SERVICE
6 TAX. A local sales and service tax at a rate of one
7 percent may be imposed by a county on the gross
8 receipts, except the gross receipts from the sale
9 of any motor vehicle, machine or equipment exclusively
10 designed for and used for agricultural purposes, taxed
11 by the state under chapter four hundred twenty-two
12 (422), division four (IV), of the Code. A local sales
13 and service tax shall be imposed on the same basis
14 as the state sales and service tax and shall not be
15 imposed on the sale of any property or service not
16 taxed by the state. A local sales and service tax
17 is applicable only to transactions within the
18 territorial limits of the county imposing it and shall
19 be collected by all persons required to collect state
20 sales and service taxes.
21 The amount of the sale or service, for purposes
22 of determining the amount of the local sales and
23 service tax, does not include the amount of any state
24 gross receipts tax.
25 No tax permit other than the state tax permit
26 required under section four hundred twenty-two point
27 fifty-three (422.53) of the Code may be required by
28 local authorities.
29 Sec. ___. NEW SECTION. ADMINISTRATION. A local
30 sales and service tax shall be imposed on July first
31 following the passage of a resolution of the board
32 of supervisors.
33 The director of revenue shall administer the
34 provisions of a local sales and service tax as nearly
35 as possible in conjunction with the administration
36 of state sales and service tax laws. The director
37 shall provide appropriate forms, or provide on the
38 regular state tax forms, for reporting local sales
39 and service tax liability.
40 A resolution of a county board of supervisors
41 imposing a local sales and service tax shall adopt
42 by reference the applicable provisions of the
43 appropriate sections of chapter four hundred twenty-
44 two (422), division four (IV), of the Code for a local
45 sales and service tax, and all powers of the director
46 and requirements of the director in administering
47 the state sales and service tax law are applicable
48 to the administration of a local sales and service
49 tax law including but not limited to powers to impose
50 interest and penalties, and requirements for hearing

1 and appeal. Local officials shall confer with the
2 director of revenue and obtain assistance in drafting
3 the resolution imposing a local sales and service
4 tax. A certified copy of the resolution imposing
5 a local sales and service tax shall be filed with
6 the director as soon as possible after passage.
7 The director, in consultation with local officials,
8 shall collect and account for a local sales and service
9 tax. The director shall not retain for the use of
10 the department of revenue any sales and service tax
11 receipts to cover administrative expense. All local
12 sales and service tax receipts shall be credited to
13 a "local tax fund" hereby established in the office
14 of the treasurer of state.
15 Sec. ___. NEW SECTION. COUNTYWIDE SHARES. The
16 treasurer of state shall credit the local sales and
17 service tax receipts to a joint account in the local
18 tax fund and shall remit quarterly to each city in
19 the county a pro rata share of the joint account,
20 based upon the percentage of its population residing
21 in the county to the total population of the county,
22 and to the board of supervisors a pro rata share of
23 the joint account based upon the percentage of
24 population in the county outside of cities, all
25 according to the population determined by the most
26 recent certified federal census."
27 2. Amend the title, line 1, by inserting after
28 the word "of" the words "a sales and service tax
29 including".

H-5569 FILED w/d 3/8 (p. 865)
MARCH 7, 1978

BY BRUNOW of Appanoose
BINA of Scott
KRAUSE of Kossuth
RINAS of Linn
KREWSON of Polk
SCHROEDER of Pottawattamie

SENATE FILE 336

H-5570

1 Amend the amendment H-5569 to Senate File 336,
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 1, by inserting after line 20 the following
5 paragraph:
6 "A county shall impose a sales and service tax
7 only after an election at which a majority of those
8 voting on the question favors imposition. The election
9 shall be held at the time of the county's general
10 election."
11 2. Page 1, line 31, by striking the words "the
12 passage of a" and inserting in lieu thereof the words
13 "a favorable election by".

H-5570 FILED Out of order, 5569 w/d 3/8 (p. 865)
MARCH 7, 1978

BY BINA of Scott

SENATE FILE 336

H-5559

Amend Senate File 336, as passed and reprinted by the Senate, as follows:

1. Page 2, by striking lines 28 through 30, and inserting in lieu thereof the following:

"3. The revenue derived from any transient guest tax authorized by this Act shall be used as follows:

(a) Twenty-five (25) percent thereof for the promotion and encouragement of tourist and convention business in the city or county and surrounding areas, or the acquisition of sites for, or constructing, improving, enlarging, equipping, repairing, operating, and maintaining convention, entertainment or cultural facilities including but not limited to memorial buildings, halls, and monuments, civic center convention buildings, auditoriums, coliseums, and parking areas or facilities located at or near the convention, entertainment, or cultural facilities or the payment of principal and interest, when due, on bonds or other evidence of indebtedness issued by the city or county for convention, entertainment or cultural facilities."

H-5559 FILED Amended by 5592 o Lost 3/8 (p. 863) BY MILLER of Buchanan
MARCH 7, 1978

SENATE FILE 336

H-5552

Amend Senate File 336, as amended, passed and reprinted by the Senate, as follows:

1. Page 2, line 22, by inserting after the word "fund" the words ", less ten percent of the moneys credited to the fund,".

2. Page 2, line 25, by inserting after the word "amount" the words ", less ten percent of such amount,".

3. Page 2, line 26, by inserting after the word "amount" the words ", less ten percent of such amount,".

4. Page 2, line 27, by inserting after the word "county." the words "Ten percent of all moneys credited to the local transient guest tax fund shall be remitted by the treasurer of state to the Iowa development commission for the use of the commission in the promotion of tourism."

H-5552 FILED Lost 3/8 (p. 858) BY WALTER of Pottawattamie
MARCH 6, 1978

SENATE FILE 336

H-5541

Amend H-5426 to Senate File 336, as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 8, by striking all after the word "election."

2. Page 1, by striking lines 9 through 15.

H-5541 FILED Adopted 3/7 (p. 844) BY JUNKER of Woodbury
MARCH 6, 1978

SENATE FILE 336

H-5436

Amend Senate File 336 as amended, passed and reprinted by the Senate as follows:

1. Page 1, by striking line 4 and inserting in lieu thereof the words "at a rate of five percent, upon the gross receipts".

2. Page 1, line 9, by inserting after the word "meals." the following: "The tax when imposed by a city shall apply only within the corporate boundaries of that city and when imposed by a county shall apply only outside incorporated areas within that county."

3. Page 1, by inserting after line 15, the following new paragraph:

"A local hotel and motel tax shall be imposed on January first, April first, July first, or September first, following the notification of the director of revenue. Once imposed, the tax shall remain in effect at the rate imposed for a minimum of one year. A local hotel and motel tax shall terminate only on March thirty-first, June thirtieth, September thirtieth, or December thirty-first. At least sixty days prior to the tax being effective or prior to a revision in the tax rate, or prior to the repeal of the tax, a city or county shall provide notice by certified mail of such action to the director of revenue."

4. Page 1, by striking lines 16 through 22.

5. Page 1, line 28, by inserting after the word "liability." the following: "All moneys received or refunded one hundred eighty days after the date on which a city or county terminates its local hotel and motel tax shall be deposited in or withdrawn from the state general fund."

6. Page 2, line 7, by inserting after the word "point" the following: "fifty-two (422.52), four hundred twenty-two point fifty-four (422.54) through four hundred twenty-two point".

7. Page 2, lines 15 and 16, by striking the words "gross receipts" and inserting in lieu thereof the words "retail sales".

8. Page 2, line 16, by inserting after the word "statutes." the following: "Notwithstanding the provisions of this paragraph, the director shall provide for only quarterly filing of returns as prescribed in section four hundred twenty-two point fifty-one (422.51) of the Code. Further, the director may require all persons as defined in section four hundred twenty-two point forty-two (422.42) of the Code, who are engaged in the business of deriving gross receipts subject to tax under this Act, to register with the department."

9. Page 2, line 31, by striking the figure "1978" and inserting in lieu thereof the figure "1979".

10. Title page, line 2, by inserting after the word "county" the words "and providing penalties".

H-5436 FILED B adopted BY COMMITTEE ON WAYS AND MEANS
FEBRUARY 23, 1978 3/7 (p. 841) NORLAND of Worth, Chair
A. Lost 3/7 (940) Motion to reconsider 3/8 Reconsidered 3/21 (p. 1111) Lost 3/21 (p. 1112)
Recommitted & amended by 6655 to adopted 3/11 (p. 2502)

SENATE FILE 336

H-5479

1 Amend the Committee on Ways and Means amendment,
2 H-5436, to Senate File 336 as amended, passed and
3 reprinted by the Senate, as follows:
4 1. Page 1, lines 4 and 5, by striking the words
5 "at a rate of five percent, upon the gross receipts"
6 and inserting in lieu thereof the words "at a rate of
7 from one to five percent, imposed in increments of
8 one percent, upon the gross receipts".

H-5479 FILED Lost 3/7 BY SCHNEKLOTH of Scott
FEBRUARY 28, 1978 (p. 340)
Motion to reconsider 3/7

SENATE FILE 336

H-5426

1 Amend Senate File 336 as follows:
2 1. Page 1, by inserting after line 15 the follow-
3 ing paragraph:
4 "A city or county shall impose a hotel and motel
5 tax, only after an election at which a majority of
6 those voting on the question favors imposition. The
7 election shall be held at the time of that city's or
8 county's general election. On the ballot adjacent to
9 the question of the imposition of the tax, shall be a
10 statement that fifty percent of all revenue received
11 from this tax will be used to provide property tax
12 relief. The nature of the relief shall be specific-
13 ally stated. Failure to provide the statement or to
14 specify the nature of the property tax relief shall
15 invalidate the tax."

H-5426 FILED BY BINA of Scott
FEBRUARY 22, 1978
Adopted as amended by S541 3/7 (p. 845)
Motion to reconsider pending 3/8 (p. 270)
Re adopted as amended by S541 3/21 (p. 1111)

SENATE FILE 336

H-4016

Amend Senate File 336 as follows:

1. Page 2, by inserting after line 30 the following new section:

"Sec. ___. NEW SECTION. REFUNDS. Before a city or county may repeal its hotel or motel tax, such city or county must notify in writing the director of revenue six months before the repeal of the hotel and motel tax. Upon receipt of written notice of the intended repeal, the director shall estimate the amount of refunds which may be authorized to businesses located in the city or county where the tax is to be repealed and shall notify the treasurer of state of such estimated amounts.

Notwithstanding section two (2) of this Act, the treasurer of state upon notification of the estimated amounts shall withhold from remitting to the city or county of its share of the local transient guest tax fund an amount equal to the estimated amount of refund attributable to businesses located in the city or unincorporated area of the county where the tax is to be repealed. The amount so withheld shall be kept by the treasurer in the fund until the statute of limitations on refunds has run, the director has determined that no refunds are owing or the city or county has provided appropriate security as determined by the director.

If the funds withheld by the treasurer are insufficient to meet all authorized refunds, such refunds shall be paid out of the state general fund and the director shall collect from the appropriate jurisdiction the amount of the refund paid out of the state general fund. The director is authorized to use any means available to collect such amounts including but not limited to the authority to withhold or order withheld a sufficient amount of any funds which the appropriate jurisdiction is entitled to receive from the state treasury under any other statute."

H-4016 FILED - Lost 3/5 (p. 845) BY BINA of Scott
MAY 5, 1977

SENATE FILE 336

H-4017

Amend Senate File 336 as follows:

1. Page 1, line 22, by inserting after the word "tax." the words "If a county has imposed a hotel and motel tax, a city within that county may also impose a hotel and motel tax only if the county tax does not apply to that city."

H-4017 FILED w/d BY BINA of Scott
MAY 5, 1977 3/5 (p. 852)

SENATE FILE 336

H-4018

Amend Senate File 336 as follows:

1. Page 1, line 4, by striking the words "to exceed seven percent" and inserting in lieu thereof the words "less than four percent nor more than seven percent, imposed in increments of ~~one percent~~".

H-4018 FILED - Lost 3/7 (p. 1141) BY BINA of Scott
MAY 5, 1977

SENATE FILE 336

H-3973

Amend Senate File 336 as follows:

1. Page 1, line 1, by striking the words "A city".

2. Page 1, by striking lines 2 and 3.

3. Page 1, line 4, by striking the words "at a rate not to exceed seven percent," and inserting in lieu thereof the words "There is hereby imposed a tax of five percent".

4. Page 1, by striking lines 16 through 35 and inserting in lieu thereof the following:

"All revenues arising under the operation of the provisions of this section shall be credited to a "local transient guest tax fund" established by section two (2) of this Act."

5. Page 2, line 14, by striking the word "authorized" and inserting in lieu thereof the word "levied".

6. Title page, line 2, by striking the words "a city or county" and inserting in lieu thereof the words "the state".

H-3973 FILED BY BINA of Scott
MAY 4, 1977
B [illegible] of order 3/7 (p 841)
A - Not germane 3/7 (p 841)

SENATE FILE 336

H-3974

Amend Senate File 336 as follows:

1. Page 1, lines 1 and 2, by striking the words "city or".

2. Page 1, line 2, by striking the words "by ordinance of the city council or".

3. Page 1, by striking lines 16 through 22.

4. Title page, line 2, by striking the words "city or".

H-3974 FILED BY BINA of Scott
MAY 4, 1977
A Lost, B Out of order 3/7 (p 843)

SENATE FILE 336

H-3975

Amend Senate File 336 as follows:

1. Page 1, line 4, by striking the word "seven" and inserting in lieu thereof the word "two".

H-3975 FILED [illegible] 3/7 (843) BY BINA of Scott
MAY 4, 1977

SENATE FILE 336

H-6322

1 Amend Senate File 336 as amended, passed, and re-
2 printed as follows:
3 1. Page 2, by inserting after line 30 the follow-
4 ing:
5 "Sec. ___. The general assembly shall not mandate
6 to any local government any new program or mandate an
7 increase in the level of service under an existing
8 program unless the cost of such mandated program or
9 level of service is funded by the state."

H-6322 FILED [illegible] BY DANKER of Pottawattamie
APRIL 25, 1978 [illegible]

SENATE FILE 336

H-6655

1 Amend amendment H-5436, to Senate File 336 as
2 passed by the Senate and reprinted, as follows:
3 1. Page 2, by striking lines 1 and 2 and insert-
4 ing in lieu thereof the following:
5 "_____. Page 2, by striking line 31."

H-6655 FILED [illegible] BY BINA of Scott
MAY 11, 1978 [illegible]

SENATE FILE 336

S-5906

1 Amend the House amendment, S-5899, to Senate File
2 336 as amended, passed and reprinted by the Senate
3 as follows:
4 1. Page 1, line 15, by inserting after the word
5 "county." the words "However, a city located in more
6 than one county shall not impose a hotel and motel
7 tax unless the counties in which the city is located
8 impose the tax. Upon the imposition of the tax by
9 those counties that city shall impose a hotel and
10 motel tax equal to the lowest rate imposed by those
11 counties."
12 2. Page 1, line 30, by inserting after the word
13 "revenue." the words "However, a city located in more
14 than one county shall not repeal a hotel and motel
15 tax unless one of the counties in which that city
16 is located repeals its tax."
17 3. Page 1, line 33, by inserting after the word
18 "city" the words ", except a city located in more
19 than one county,".

S-5906 FILED & LOST (p. 1500) BY NORMAN G. RODGERS
MAY 12, 1978

SENATE FILE 336

AN ACT

RELATING TO THE IMPOSITION OF A HOTEL AND MOTEL TAX BY A CITY OR COUNTY AND PROVIDING PENALTIES.

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

Section 1. NEW SECTION. HOTEL AND MOTEL TAX. A city or county may impose by ordinance of the city council or by resolution of the board of supervisors a hotel and motel tax, at a rate not to exceed seven percent, which shall be imposed in increments of one or more full percentage points upon the gross receipts from the renting of any and all rooms, apartments, or sleeping quarters in any hotel, motel, inn, public lodging house, rooming house, or tourist court, or in any place where sleeping accommodations are furnished to transient guests for rent, whether with or without meals except the gross receipts from the renting of sleeping rooms in dormitories and in memorial unions at all state of Iowa universities and colleges. The tax when imposed by a city shall apply only within the corporate boundaries of that city and when imposed by a county shall apply only outside incorporated areas within that county. "Renting" and "rent" include any kind of direct or indirect charge for such rooms, apartments, sleeping quarters, or the use thereof. However, such tax shall not apply to the gross receipts from the renting of a room, apartment, or sleeping quarters while rented by the same person for a period of more than thirty-one consecutive days.

A local hotel and motel tax shall be imposed on January first, April first, July first, or September first, following the notification of the director of revenue. Once imposed, the tax shall remain in effect at the rate imposed for a minimum of one year. A local hotel and motel tax shall terminate only on March thirty-first, June thirtieth, September thirtieth, or December thirty-first. At least sixty days

prior to the tax being effective or prior to a revision in the tax rate, or prior to the repeal of the tax, a city or county shall provide notice by certified mail of such action to the director of revenue.

A city or county shall impose a hotel and motel tax, only after an election at which a majority of those voting on the question favors imposition. The election shall be held at the time of that city's or county's general election.

The director of revenue shall administer the provisions of a local hotel and motel tax as nearly as possible in conjunction with the administration of the state sales tax law. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local hotel and motel tax liability. All moneys received or refunded one hundred eighty days after the date on which a city or county terminates its local hotel and motel tax shall be deposited in or withdrawn from the state general fund.

The director, in consultation with local officials, shall collect and account for a local hotel and motel tax and shall credit all revenues to a "local transient guest tax fund" established by section two (2) of this Act.

No tax permit other than the state tax permit required under section four hundred twenty-two point fifty-three (422.53) of the Code may be required by local authorities.

The tax herein levied shall be in addition to any state sales tax imposed under section four hundred twenty-two point forty-three (422.43) of the Code. The provisions of sections four hundred twenty-two point twenty-five (422.25), subsection four (4), four hundred twenty-two point thirty (422.30), four hundred twenty-two point forty-eight (422.48) through four hundred twenty-two point fifty-two (422.52), four hundred twenty-two point fifty-four (422.54) through four hundred twenty-two point fifty-eight (422.58), four hundred twenty-two point sixty-seven (422.67), four hundred twenty-two point sixty-eight (422.68), four hundred twenty-two point sixty-nine (422.69), subsection one (1), and four hundred twenty-two point seventy (422.70) through four hundred twenty-two

point seventy-five (422.75) of the Code, consistent with the provisions of this Act, shall apply with respect to the taxes authorized under this Act, in the same manner and with the same effect as if the hotel and motel taxes were retail sales taxes within the meaning of those statutes. Notwithstanding the provisions of this paragraph, the director shall provide for only quarterly filing of returns as prescribed in section four hundred twenty-two point fifty-one (422.51) of the Code. Further, the director may require all persons as defined in section four hundred twenty-two point forty-two (422.42) of the Code, who are engaged in the business of deriving gross receipts subject to tax under this Act, to register with the department.

Sec. 2. NEW SECTION. LOCAL TRANSIENT GUEST TAX FUND.

1. There is created in the office of the treasurer of state a local transient guest tax fund which shall consist of all moneys credited to such fund under section one (1) of this Act.

2. All moneys in the local transient guest tax fund shall be remitted at least quarterly by the treasurer of state, pursuant to rules of the director of revenue, to each city in the amount collected from businesses in that city and to each county in the amount collected from businesses in the unincorporated areas of the county.

3. Moneys received by the county or city from this fund shall be credited to the general fund of such county or city, subject to the provisions of subsection four (4) of this section.

4. The revenue derived from any hotel and motel tax authorized by this Act shall be used as follows:

a. Each county or city which levies the tax shall spend at least fifty percent of the revenues derived therefrom for the acquisition of sites for, or constructing, improving, enlarging, equipping, repairing, operating, or maintaining of recreation, convention, cultural, or entertainment facilities including but not limited to memorial buildings, halls and monuments, civic center convention buildings,

auditoriums, coliseums, and parking areas or facilities located at those recreation, convention, cultural, or entertainment facilities or the payment of principal and interest, when due, on bonds or other evidence of indebtedness issued by the county or city for those recreation, convention, cultural, or entertainment facilities; or for the promotion and encouragement of tourist and convention business in the city or county and surrounding areas.

b. The remaining revenues may be spent by the city or county which levies the tax for any city or county operations authorized by law as a proper purpose for the expenditure within statutory limitations of city or county revenues derived from ad valorem taxes.

c. Any city or county which levies and collects the hotel and motel tax authorized by this Act may pledge an amount not to exceed thirty percent of the revenues derived therefrom to the payment of bonds which the city or county may issue for one or more of the purposes set forth in paragraph a of this subsection. Any revenue pledged to the payment of such bonds may be credited to the spending requirement of paragraph a of this subsection.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 336, Sixty-seventh General Assembly.

KEVIN P. LIGHT
Acting Secretary of the Senate

Approved June 14, 1978

ROBERT D. RAY
Governor