

B. HOUSE FILE 243

*2/14/83
Do Pass 2/29 (p. 1012)*

Local Government
Mann. Chair
Vande Hoef
Briles

HOUSE FILE 243

BY COMMITTEE ON LOCAL GOVERNMENT

FEB 17 1983

(Formerly Study Bill 112)

Place On Calendar

Passed House, Date 3-4-83 (p. 612) Passed Senate, Date 4-11-83 (p. 1176)

Vote: Ayes 94 Nays 0 Vote: Ayes 45 Nays 0

Approved April 29, 1983 (p. 1713)

A BILL FOR

1 An Act repealing the requirement to file a certificate of the
2 county treasurer of payment of personal property taxes due
3 on the estate of a decedent.

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

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HF 243

1 Section 1. Section 633.479, Code 1983, is amended to read
2 as follows:

3 633.479 DISCHARGE. Upon final settlement of an estate,
4 an order shall be entered discharging the personal
5 representative from further duties and responsibilities.
6 The order approving the final report shall constitute a waiver
7 of the omission from the final report of any of the recitals
8 required in section 633.477.

9 An order approving the final report and discharging the
10 personal representative shall not be required if all
11 distributees otherwise entitled to notice are adults, under
12 no legal disability, have signed waivers of notice as provided
13 in section 633.478, have signed statements of consent agreeing
14 that the prayer of the final report shall constitute an order
15 approving the final report and discharging the personal
16 representative, and if ~~such~~ the statements of consent are
17 dated not more than thirty days prior to the date of the
18 final report, and if compliance with ~~the provisions of~~
19 sections 422.27, and 450.58, ~~and 633.474,~~ have been fulfilled
20 and receipts and certificates are on file. In ~~such~~ those
21 instances final order shall not be required and the prayer
22 of the final report shall be considered as granted and shall
23 have the same force and effect as an order of discharge of
24 the personal representative and an order approving the final
25 report. The clerk shall comply with section 633.480 with
26 respect to issuing a change of title.

27 Sec. 2. Section 633.474, Code 1983, is repealed.

28 EXPLANATION

29 This bill repeals the requirement that a county treasurer's
30 certificate showing the payment of personal property taxes
31 due must be filed at or before the filing of the final report
32 of a decedent's estate.

33 This bill takes effect July 1 following its enactment.

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clerk shall comply with section 633.480 with respect to issuing a change of title.

Sec. 2. Section 633.474, Code 1983, is repealed.

HOUSE FILE 243

AN ACT

REPEALING THE REQUIREMENT TO FILE A CERTIFICATE OF THE COUNTY TREASURER OF PAYMENT OF PERSONAL PROPERTY TAXES DUE ON THE ESTATE OF A DECEDENT.

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

Section 1. Section 633.479, Code 1983, is amended to read as follows:

633.479 DISCHARGE. Upon final settlement of an estate, an order shall be entered discharging the personal representative from further duties and responsibilities. The order approving the final report shall constitute a waiver of the omission from the final report of any of the recitals required in section 633.477.

An order approving the final report and discharging the personal representative shall not be required if all distributees otherwise entitled to notice are adults, under no legal disability, have signed waivers of notice as provided in section 633.478, have signed statements of consent agreeing that the prayer of the final report shall constitute an order approving the final report and discharging the personal representative, and if ~~such the~~ statements of consent are dated not more than thirty days prior to the date of the final report, and if compliance with ~~the provisions of~~ sections 422.277 and 450.507 ~~and 633.474~~, have been fulfilled and receipts and certificates are on file. In ~~such~~ those instances final order shall not be required and the prayer of the final report shall be considered as granted and shall have the same force and effect as an order of discharge of the personal representative and an order approving the final report. The

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 243, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 29, 1983

TERRY R. BRANSTAD
Governor