

Sen Local Govt. 4/4/85 Amend (3712) & D. Pass 4/11 (p. 1331)

House File 729

LOCAL GOVERNMENT: A. Miller, Chair; Waldstein and Wells

Place On Calendar

HOUSE FILE 729

BY COMMITTEE ON LOCAL GOVERNMENT

(Formerly House Study Bill 347)

Passed House, Date 4-2-85 (p. 1354) Passed Senate, Date 4-18-85 (p. 1475)

Vote: Ayes 96 Nays 1 Vote: Ayes 41 Nays 2

Approved May 30, 1985

Repassed House 4-25-85 (p. 1948)
92-0

A BILL FOR

- 1 An Act relating to certain tax levies of political subdivi-
- 2 sions and area schools.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S-3712

HOUSE FILE 729

- 1 Amend House File 729 as follows:
- 2 1. Page 1, by striking lines 20 through 22 and
- 3 inserting the following: "shown on the assessment
- 4 roll ~~used in connection with the taxation of property~~
- 5 ~~by the taxing district, last equalized prior to as of~~
- 6 January 1 of the calendar year preceding the
- 7 effective".
- 8 2. Page 1, by striking lines 34 and 35 and
- 9 inserting the following: "date, the assessment roll
- 10 ~~of the county last equalized on as of January 1 of the~~
- 11 calendar year preceding the effective date of the".
- 12 3. Page 2, line 6, by inserting after the word
- 13 "auditor" the following: "on or before December 31".
- 14 4. Page 2, line 10, by inserting after the word
- 15 "each" the following: "subsequent".
- 16 5. Page 2, line 15, by striking the word
- 17 "February" and inserting the following: "January".
- 18 6. Page 2, by striking lines 23 through 27 and
- 19 inserting the following:
- 20 "NEW SUBSECTION. 6. Tax collections within each
- 21 taxing district may be allocated to the entire taxing
- 22 district including the taxes on the valuations".

HF 729

S-3712 Filed April 11, 1985

By COM. ON LOCAL GVT.

Adopted 4/18/85 (p. 1475)

1 Section 1. Section 76.2, Code 1985, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. If funds, including reserves and
4 amounts available for temporary transfer, are found to be
5 insufficient to pay in full any installment of principal or
6 interest, a public issuer of bonds may anticipate the next
7 levy of taxes pursuant to this section in the manner provided
8 in chapter 74, whether the taxes so anticipated are to be col-
9 lected in the same or a future fiscal year.

10 Sec. 2. Section 280B.2, subsection 10, Code 1985, is
11 amended to read as follows:

12 10. "Incremental property taxes" means the taxes as
13 provided in section 403.19 and section 280B.4.

14 Sec. 3. Section 403.19, subsection 1, Code 1985, is
15 amended to read as follows:

16 1. That portion of the taxes which would be produced by
17 the rate at which the tax is levied each year by or for each
18 of the taxing districts upon the total sum of the assessed
19 value of the taxable property in the urban renewal project, as
20 shown on the ~~assessment-roll-used-in-connection-with-the~~
21 ~~taxation-of-property-by-the-taxing-district,~~ last-equalized
22 last certified state and county lists prior to the effective
23 date of the ordinance, or the assessment roll last equalized
24 prior to the date of initial adoption of the urban renewal
25 plan in the case of projects commenced prior to July 1, 1972,
26 shall be allocated to and when collected be paid into the fund
27 for the respective taxing district as taxes by or for said
28 taxing district into which all other property taxes are paid.
29 For the purpose of allocating taxes levied by or for any
30 taxing district which did not include the territory in an
31 urban renewal project on the effective date of the ordinance
32 or initial adoption of the plan, but to which the territory
33 has been annexed or otherwise included after the effective
34 date, the ~~assessment-roll-of-the-county-last-equalized~~ last
35 certified state and county lists on the effective date of the

1 ordinance or initial adoption of the plan shall be used in
2 determining the assessed valuation of the taxable property in
3 the project on the effective date.

4 Sec. 4. Section 403.19, subsection 5, Code 1985, is
5 amended to read as follows:

372 6 5. A city shall certify to the county auditor the amount
7 of loans, advances, indebtedness or bonds which qualify for
8 payment from the special fund referred to in subsection 2, and
9 the filing of the certificate shall make it a duty of the
10 auditor to provide for the division of taxes in each year
11 until the amount of the loans, advances, indebtedness or bond
12 is paid to the special fund. In any year, the county auditor
13 shall, upon receipt of a certified request from a city filed
14 prior to ~~the date for certification of city taxes specified in~~
15 ~~section-384-2~~ February 1, increase the amount to be allocated
16 under subsection 1 in order to reduce the amount to be
17 allocated in the following fiscal year to the special fund, to
18 the extent that the city does not request allocation to the
19 special fund of the full portion of taxes which could be
20 collected.

21 Sec. 5. Section 403.19, Code 1985, is amended by adding
22 the following new subsection:

372 23 NEW SUBSECTION. 6. This section does not require the
24 treasurer to specifically account for collections of taxes
25 paid by individual properties. Tax collections within each
26 political subdivision shall be allocated to the entire
27 political subdivision including the taxes on the valuations
28 determined under subsection 1 and to the special fund created
29 under subsection 2 in the proportion of their taxable valua-
30 tions determined as provided in this section.

31 EXPLANATION

32 This bill provides that the next levy for a bond issue may
33 be anticipated by the issuance of warrants when a shortage of
34 funds exists. The bill also specifies the method of
35 accounting for incremental taxes, the tax list to be used for

1 determining taxes to be divided among taxing districts and to
2 pay for redevelopment project costs, and procedures for
3 division of taxes under chapter 403. The bill also expands a
4 definition in chapter 280B.

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SENATE AMENDMENT TO HOUSE FILE 729

H-3934

1 Amend House File 729 as follows:

2 1. Page 1, by striking lines 20 through 22 and
3 inserting the following: "shown on the assessment
4 roll ~~used in connection with the taxation of property~~
5 ~~by the taxing district, last equalized prior to~~ as of
6 January 1 of the calendar year preceding the
7 effective".

8 2. Page 1, by striking lines 34 and 35 and
9 inserting the following: "date, the assessment roll
10 ~~of the county last equalized on~~ as of January 1 of the
11 calendar year preceding the effective date of the".

12 3. Page 2, line 6, by inserting after the word
13 "auditor" the following: "on or before December 31".

14 4. Page 2, line 10, by inserting after the word
15 "each" the following: "subsequent".

16 5. Page 2, line 15, by striking the word
17 "February" and inserting the following: "January".

18 6. Page 2, by striking lines 23 through 27 and
19 inserting the following:

20 "NEW SUBSECTION. 6. Tax collections within each
21 taxing district may be allocated to the entire taxing
22 district including the taxes on the valuations".

H-3934 FILED APRIL 22, 1985 RECEIVED FROM THE SENATE
House concurred 4/26/85 (p. 1948)

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O'KANE
DAGGETT
PLATT

NSB 347

Study Bill 347

LOCAL GOVERNMENT

Local Government: O'Kane, Chair: Daggett and Platt.

*New
RF 729*

HOUSE FILE 729

BY (PROPOSED COMMITTEE ON LOCAL
GOVERNMENT BILL)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to certain tax levies of political subdivisions
2 and area schools.

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

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1 Section 1. Section 76.2, Code 1985, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. If funds, including reserves and
4 amounts available for temporary transfer, are found to be
5 insufficient to pay in full any installment of principal or
6 interest, a public issuer of bonds may anticipate the next
7 levy of taxes pursuant to this section in the manner provided
8 in chapter 74, whether the taxes so anticipated are to be col-
9 lected in the same or a future fiscal year.

10 Sec. 2. Section 280B.2, subsection 10, Code 1985, is
11 amended to read as follows:

12 10. "Incremental property taxes" means the taxes as
13 provided in section 403.19 and section 280B.4.

14 Sec. 3. Section 403.19, Code 1985, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 6. This section does not require the
17 treasurer to specifically account for collections of taxes
18 paid by individual properties. Tax collections within each
19 political subdivision shall be allocated to the entire
20 political subdivision including the taxes on the valuations
21 determined under subsection 1 and to the special fund created
22 under subsection 2 in the proportion of their taxable valua-
23 tions determined as provided in this section.

24 EXPLANATION

25 This bill provides that the next levy for a bond issue may
26 be anticipated by the issuance of warrants when a shortage of
27 funds exists. The bill also specifies the method of
28 accounting for incremental taxes under chapter 403. The bill
29 also expands a definition in chapter 280B.

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HOUSE FILE 729

AN ACT
RELATING TO CERTAIN TAX LEVIES OF POLITICAL SUBDIVISIONS AND
AREA SCHOOLS.

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

Section 1. Section 76.2, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If funds, including reserves and amounts available for temporary transfer, are found to be insufficient to pay in full any installment of principal or interest, a public issuer of bonds may anticipate the next levy of taxes pursuant to this section in the manner provided in chapter 74, whether the taxes so anticipated are to be collected in the same or a future fiscal year.

Sec. 2. Section 280B.2, subsection 10, Code 1985, is amended to read as follows:

10. "Incremental property taxes" means the taxes as provided in section 403.19 and section 280B.4.

Sec. 3. Section 403.19, subsection 1, Code 1985, is amended to read as follows:

1. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the urban renewal project, as shown on the assessment roll used-in-connection-with-the taxation-of-property-by-the-taxing-districts-last-equalized prior to as of January 1 of the calendar year preceding the effective date of the ordinance, or the assessment roll last equalized prior to the date of initial adoption of the urban renewal plan in the case of projects commenced prior to July 1, 1972, shall be allocated to and when collected be paid into

the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in an urban renewal project on the effective date of the ordinance or initial adoption of the plan, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of-the-county-last-equalized-on as of January 1 of the calendar year preceding the effective date of the ordinance or initial adoption of the plan shall be used in determining the assessed valuation of the taxable property in the project on the effective date.

Sec. 4. Section 403.19, subsection 5, Code 1985, is amended to read as follows:

5. A city shall certify to the county auditor on or before December 31 the amount of loans, advances, indebtedness or bonds which qualify for payment from the special fund referred to in subsection 2, and the filing of the certificate shall make it a duty of the auditor to provide for the division of taxes in each subsequent year until the amount of the loans, advances, indebtedness or bond is paid to the special fund.

In any year, the county auditor shall, upon receipt of a certified request from a city filed prior to the date for certification-of-city-taxes-specified-in-section-304.2 January 1, increase the amount to be allocated under subsection 1 in order to reduce the amount to be allocated in the following fiscal year to the special fund, to the extent that the city does not request allocation to the special fund of the full portion of taxes which could be collected.

Sec. 5. Section 403.19, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Tax collections within each taxing district may be allocated to the entire taxing district including the taxes on the valuations determined under subsection 1 and to the special fund created under subsection

2 in the proportion of their taxable valuations determined as provided in this section.

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 729, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 30, 1985

TERRY E. BRANSTAD
Governor