

*See Book  
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HOUSE FILE 660  
BY COMMITTEE ON WAYS AND MEANS

APR 14 1993

WAYS & MEANS CALENDAR

(SUCCESSOR TO HF 456)

(SUCCESSOR TO HSB 181)

Passed House, <sup>(#1661)</sup> Date 4/26/93 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 99 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved May 19, 1993

**A BILL FOR**

1 An Act relating to income tax return checkoffs for purposes of  
2 state individual income tax and establishing an income tax  
3 checkoff to support the Iowa state fair foundation and  
4 providing for the Act's retroactive applicability.

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

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**HOUSE FILE 660**

H-4197

1 Amend House File 660 as follows:  
2 1. Page 2. by striking lines 30 and 31 and  
3 inserting the following: "the least amount has been  
4 contributed, in the aggregate for the first two tax  
5 years and through March 15 of the third tax year,  
6 shall be repealed. This section does".

By HANSON of Delaware

H-4197 FILED APRIL 26, 1993

ADOPTED

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HF 660

1 Section 1. Section 173.22, unnumbered paragraphs 1 and 2,  
2 Code 1993, are amended to read as follows:

3 An Iowa state fair foundation is established under the  
4 authority of the Iowa state fair board. A foundation fund is  
5 created within the state treasury composed of moneys  
6 appropriated or available to and obtained or accepted by the  
7 foundation. The foundation fund shall include moneys credited  
8 to the fund as provided in section 422.12D. The

9 The foundation may solicit or accept gifts, including  
10 donations and bequests. A gift, to the greatest extent  
11 possible, shall be used according to the expressed desires of  
12 the person providing the gift.

13 PARAGRAPH DIVIDED. Assets of the foundation shall be used  
14 to support foundation activities, including foundation  
15 administration, or capital projects or major maintenance  
16 improvements at the Iowa state fairgrounds or to property  
17 under the control of the board. Foundation moneys may be  
18 expended on a matching basis with public moneys appropriated  
19 from-the-general-fund-of-the-state or expended-on-a-matching  
20 basis-by-the-board-from Iowa state fair authority receipts.  
21 All interest earned on moneys in the foundation fund or  
22 through other foundation assets shall be credited to and  
23 remain in the fund. Section 8.33 does not apply to moneys in  
24 the fund.

25 Sec. 2. Section 422.12A, Code 1993, is amended by adding  
26 the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. The income tax return checkoff  
28 provided in this section is repealed for tax years beginning  
29 on or after January 1, 1994.

30 Sec. 3. NEW SECTION. 422.12D INCOME TAX CHECKOFF FOR THE  
31 IOWA STATE FAIR FOUNDATION.

32 1. A person who files an individual or a joint income tax  
33 return with the department of revenue and finance under  
34 section 422.13 may designate one dollar or more to be paid to  
35 the Iowa state fair foundation as established in section

1 173.22. If the refund due on the return or the payment  
2 remitted with the return is insufficient to pay the amount  
3 designated by the taxpayer to the Iowa state fair foundation,  
4 the amount designated shall be reduced to the remaining amount  
5 of the refund or the remaining amount remitted with the  
6 return. The designation of a contribution to the Iowa state  
7 fair foundation under this section is irrevocable.

8 2. The director of revenue and finance shall draft the  
9 income tax form to allow the designation of contributions to  
10 the Iowa state fair foundation on the tax return. The  
11 department, on or before January 31, shall transfer the total  
12 amount designated on the tax form due in the preceding year to  
13 the foundation fund created pursuant to section 173.22.

14 3. The Iowa state fair board may authorize payment from  
15 the foundation fund for purposes of supporting foundation  
16 activities.

17 4. The department shall adopt rules to implement this  
18 section. However, before a checkoff pursuant to this section  
19 shall be permitted, all liabilities on the books of the  
20 department of revenue and finance and accounts identified as  
21 owing under section 421.17 and the political contribution  
22 allowed under section 56.18 shall be satisfied.

23 Sec. 4. NEW SECTION. 422.12E INCOME TAX RETURN CHECKOFFS  
24 LIMITED.

25 For tax years beginning on or after January 1, 1995, there  
26 shall be allowed no more than three income tax return  
27 checkoffs on each income tax return. When the same three  
28 income tax return checkoffs have been provided on the income  
29 tax return for three consecutive years, the checkoff for which  
30 the least amount has been contributed, in the aggregate over  
31 the three-year period, shall be repealed. This section does  
32 not apply to the income tax return checkoff provided in  
33 section 56.18.

34 Sec. 5. RETROACTIVE APPLICABILITY. Section 3 of this Act,  
35 enacting section 422.12D, applies retroactively to January 1,

1 1993, for tax years beginning on or after that date.

2 EXPLANATION

3 This bill repeals the Olympics income tax return checkoff  
4 for tax years beginning on or after January 1, 1994.

5 The bill establishes an income tax checkoff for the Iowa  
6 state fair foundation designated on individual and joint  
7 returns. The amount of the checkoff is \$1 or more. The bill  
8 provides that checkoff moneys must be credited to a fund under  
9 the authority of the Iowa state fair board. Moneys in the  
10 fund may be used for purposes of supporting foundation  
11 administration, capital projects, and major maintenance  
12 improvements. The state fair foundation checkoff applies  
13 retroactively to January 1, 1993, for tax years beginning on  
14 or after that date.

15 Finally, the bill limits the number of income tax return  
16 checkoffs to three and adds an automatic repeal provision  
17 relating to all income tax return checkoffs, providing that if  
18 three checkoffs are offered for three consecutive years, the  
19 checkoff receiving the smallest contribution, in the  
20 aggregate, will be repealed. This provision does not apply,  
21 however, to the Iowa election campaign fund checkoff.

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4/23/93 Senate Amend/Do Pass w/ 8-36  
4-27 Sen. Ways & Means

HOUSE FILE 660  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 456)  
(SUCCESSOR TO HSB 181)

(As Amended and Passed by the House April 26, 1993)

Passed House, <sup>(P.1661)</sup> Date 4/26/93 Passed Senate, <sup>(P.1441)</sup> Date 4/29/93  
Vote: Ayes 99 Nays 0 Vote: Ayes 46 Nays 1  
Approved May 19, 1993 Reported 48/1  
5/1/93 (P.1553)

A BILL FOR

1 An Act relating to income tax return checkoffs for purposes of  
2 state individual income tax and establishing an income tax  
3 checkoff to support the Iowa state fair foundation and  
4 providing for the Act's retroactive applicability.

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

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House Amendments \_\_\_\_\_

1 Section 1. Section 173.22, unnumbered paragraphs 1 and 2,  
2 Code 1993, are amended to read as follows:

3 An Iowa state fair foundation is established under the  
4 authority of the Iowa state fair board. A foundation fund is  
5 created within the state treasury composed of moneys  
6 appropriated or available to and obtained or accepted by the  
7 foundation. The foundation fund shall include moneys credited  
8 to the fund as provided in section 422.12D. The

9 The foundation may solicit or accept gifts, including  
10 donations and bequests. A gift, to the greatest extent  
11 possible, shall be used according to the expressed desires of  
12 the person providing the gift.

13 PARAGRAPH DIVIDED. Assets of the foundation shall be used  
14 to support foundation activities, including foundation  
15 administration, or capital projects or major maintenance  
16 improvements at the Iowa state fairgrounds or to property  
17 under the control of the board. Foundation moneys may be  
18 expended on a matching basis with public moneys appropriated  
19 from-the-general-fund-of-the-state or expended-on-a-matching  
20 basis-by-the-board-from Iowa state fair authority receipts.  
21 All interest earned on moneys in the foundation fund or  
22 through other foundation assets shall be credited to and  
23 remain in the fund. Section 8.33 does not apply to moneys in  
24 the fund.

25 Sec. 2. Section 422.12A, Code 1993, is amended by adding  
26 the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. The income tax return checkoff  
28 provided in this section is repealed for tax years beginning  
29 on or after January 1, 1994.

30 Sec. 3. NEW SECTION. 422.12D INCOME TAX CHECKOFF FOR THE  
31 IOWA STATE FAIR FOUNDATION.

32 1. A person who files an individual or a joint income tax  
33 return with the department of revenue and finance under  
34 section 422.13 may designate one dollar or more to be paid to  
35 the Iowa state fair foundation as established in section

1 173.22. If the refund due on the return or the payment  
2 remitted with the return is insufficient to pay the amount  
3 designated by the taxpayer to the Iowa state fair foundation,  
4 the amount designated shall be reduced to the remaining amount  
5 of the refund or the remaining amount remitted with the  
6 return. The designation of a contribution to the Iowa state  
7 fair foundation under this section is irrevocable.

8 2. The director of revenue and finance shall draft the  
9 income tax form to allow the designation of contributions to  
10 the Iowa state fair foundation on the tax return. The  
11 department, on or before January 31, shall transfer the total  
12 amount designated on the tax form due in the preceding year to  
13 the foundation fund created pursuant to section 173.22.

14 3. The Iowa state fair board may authorize payment from  
15 the foundation fund for purposes of supporting foundation  
16 activities.

17 4. The department shall adopt rules to implement this  
18 section. However, before a checkoff pursuant to this section  
19 shall be permitted, all liabilities on the books of the  
20 department of revenue and finance and accounts identified as  
21 owing under section 421.17 and the political contribution  
22 allowed under section 56.18 shall be satisfied.

23 Sec. 4. NEW SECTION. 422.12E INCOME TAX RETURN CHECKOFFS  
24 LIMITED.

25 For tax years beginning on or after January 1, 1995, there  
26 shall be allowed no more than three income tax return  
27 checkoffs on each income tax return. When the same three  
28 income tax return checkoffs have been provided on the income  
29 tax return for three consecutive years, the checkoff for which  
30 the least amount has been contributed, in the aggregate for  
31 the first two tax years and through March 15 of the third tax  
32 year, shall be repealed. This section does not apply to the  
33 income tax return checkoff provided in section 56.18.

34 Sec. 5. RETROACTIVE APPLICABILITY. Section 3 of this Act,  
35 enacting section 422.12D, applies retroactively to January 1,

1 1993, for tax years beginning on or after that date.

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HOUSE FILE 660

S-3669

- 1 Amend House File 660, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 25 through 29.
- 4 2. Page 2, by striking lines 23 through 33.
- 5 3. By renumbering and correcting internal
- 6 references as necessary.

*adopted 4/29/93 (p.144)* BY COMMITTEE ON WAYS AND MEANS  
WILLIAM W. DIELEMAN, Chairperson

S-3669 FILED APRIL 28, 1993

HOUSE AMENDMENT TO SENATE AMENDMENT TO  
HOUSE FILE 660

S-3778

- 1 Amend the Senate amendment, H-4320, to House File
- 2 660, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 and 4 and
- 5 inserting the following:
- 6 "\_\_\_\_. Page 3, by inserting after line 1 the
- 7 following:
- 8 "Sec. \_\_\_\_ . CONTINGENT EFFECTIVENESS. This Act is
- 9 effective only if legislation providing an annual
- 10 standing appropriation of \$15,000 or more to Iowa
- 11 Special Olympics, Incorporated, for Special Olympic
- 12 programs, is enacted by the Seventy-fifth General
- 13 Assembly during the 1993 Regular Session.""
- 14 2. Title page, line 4, by inserting after the
- 15 word "applicability" the following: "and contingent
- 16 effectiveness".
- 17 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3778 FILED MAY 2, 1993

CONCURRED

HOUSE FILE 660

H-4342

1 Amend the Senate amendment, H-4320, to House File  
 2 660, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 1, by striking lines 3 and 4 and  
 5 inserting the following:  
 6 "\_\_\_\_. Page 3, by inserting after line 1 the  
 7 following:  
 8 "Sec. \_\_\_\_ . CONTINGENT EFFECTIVENESS. This Act is  
 9 effective only if legislation providing an annual  
 10 standing appropriation of \$15,000 or more to Iowa  
 11 Special Olympics, Incorporated, for Special Olympic  
 12 programs, is enacted by the Seventy-fifth General  
 13 Assembly during the 1993 Regular Session."  
 14 2. Title page, line 4, by inserting after the  
 15 word "applicability" the following: "and contingent  
 16 effectiveness".  
 17 3. By renumbering as necessary.

By HANSON of Delaware  
 DICKINSON of Jackson  
 JOCHUM of Dubuque

*Adapted 5/1/93 (P. 1957)*  
 H-4342 FILED APRIL 30, 1993

SENATE AMENDMENT TO HOUSE FILE 660

H-4320

1 Amend House File 660, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, by striking lines 25 through 29.  
 4 2. Page 2, by striking lines 23 through 33.  
 5 3. By renumbering and correcting internal  
 6 references as necessary.

RECEIVED FROM THE SENATE

H-4320 FILED APRIL 29, 1993

*House Concurred*  
*5/1/93*  
*(P. 1958)*

HSB 181

Agriculture

House, Ch  
Generated  
May

HOUSE FILE 660

BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON EDDIE)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act providing an income tax checkoff to support the Iowa state  
2 fair foundation.

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

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1 Section 1. Section 173.22, unnumbered paragraphs 1 and 2,  
2 Code 1993, are amended to read as follows:

3 An Iowa state fair foundation is established under the  
4 authority of the Iowa state fair board. A foundation fund is  
5 created within the state treasury composed of moneys  
6 appropriated or available to and obtained or accepted by the  
7 foundation. The foundation fund shall include moneys credited  
8 to the fund as provided in section 422.12D. The

9 The foundation may solicit or accept gifts, including  
10 donations and bequests. A gift, to the greatest extent  
11 possible, shall be used according to the expressed desires of  
12 the person providing the gift.

13 PARAGRAPH DIVIDED. Assets of the foundation shall be used  
14 to support foundation activities, including foundation  
15 administration, or capital projects or major maintenance  
16 improvements at the Iowa state fairgrounds or to property  
17 under the control of the board. Foundation moneys may be  
18 expended on a matching basis with public moneys appropriated  
19 from the general fund of the state or expended on a matching  
20 basis by the board from Iowa state fair authority receipts.  
21 All interest earned on moneys in the foundation fund or  
22 through other foundation assets shall be credited to and  
23 remain in the fund. Section 8.33 does not apply to moneys in  
24 the fund.

25 ~~Sec. 2 NEW SECTION 422.12D INCOME TAX CHECKOFF FOR THE~~  
26 IOWA STATE FAIR FOUNDATION.

27 1. A person who files an individual or a joint income tax  
28 return with the department of revenue and finance under  
29 section 422.13 may designate fifty cents to be paid to the  
30 Iowa state fair foundation as established in section 173.22.  
31 If the refund due on the return or the payment remitted with  
32 the return is insufficient to pay the amount designated by the  
33 taxpayer to the Iowa state fair foundation, the amount  
34 designated shall be reduced to the remaining amount of the  
35 refund or the remaining amount remitted with the return.

1 2. The director of revenue and finance shall draft the  
2 income tax form to allow the designation of contributions to  
3 the Iowa state fair foundation on the tax return.

4 3. The department of revenue and finance on or before  
5 January 31 of the year following the preceding calendar year  
6 shall certify the total amount designated on the tax return  
7 forms due in the preceding calendar year and shall report the  
8 amount to the treasurer of state. The treasurer of state  
9 shall credit the amount to the foundation fund created  
10 pursuant to section 173.22.

11 4. The Iowa state fair board may authorize payment from  
12 the foundation fund for purposes of supporting foundation  
13 activities.

14 5. The action taken by a person for the checkoff is  
15 irrevocable.

16 6. The department shall adopt rules to implement this  
17 section. However, before a checkoff pursuant to this section  
18 shall be permitted, all liabilities on the books of the  
19 department of revenue and finance and accounts identified as  
20 owing under section 421.17 and the political contribution  
21 allowed under section 56.18 shall be satisfied.

22 EXPLANATION

23 This bill establishes an income tax checkoff for the Iowa  
24 state fair foundation designated on individual and joint  
25 returns. The amount of the checkoff is 50 cents. The bill  
26 provides that checkoff moneys must be credited to a fund under  
27 the authority of the Iowa state fair board for purposes of  
28 supporting foundation administration, capital projects, and  
29 major maintenance improvements.

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HOUSE FILE 660

AN ACT

RELATING TO INCOME TAX RETURN CHECKOFFS FOR PURPOSES OF STATE INDIVIDUAL INCOME TAX AND ESTABLISHING AN INCOME TAX CHECKOFF TO SUPPORT THE IOWA STATE FAIR FOUNDATION AND PROVIDING FOR THE ACT'S RETROACTIVE APPLICABILITY AND CONTINGENT EFFECTIVENESS.

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

Section 1. Section 173.22, unnumbered paragraphs 1 and 2, Code 1993, are amended to read as follows:

An Iowa state fair foundation is established under the authority of the Iowa state fair board. A foundation fund is created within the state treasury composed of moneys appropriated or available to and obtained or accepted by the foundation. The foundation fund shall include moneys credited to the fund as provided in section 422.12D. The

The foundation may solicit or accept gifts, including donations and bequests. A gift, to the greatest extent possible, shall be used according to the expressed desires of the person providing the gift.

PARAGRAPH DIVIDED. Assets of the foundation shall be used to support foundation activities, including foundation administration, or capital projects or major maintenance improvements at the Iowa state fairgrounds or to property under the control of the board. Foundation moneys may be expended on a matching basis with public moneys appropriated from the general fund of the state or expended on a matching basis by the board from Iowa state fair authority receipts. All interest earned on moneys in the foundation fund or through other foundation assets shall be credited to and remain in the fund. Section 8.33 does not apply to moneys in the fund.

Sec. 2. Section 422.12A, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The income tax return checkoff provided in this section is repealed for tax years beginning on or after January 1, 1994.

Sec. 3. NEW SECTION. 422.12D INCOME TAX CHECKOFF FOR THE IOWA STATE FAIR FOUNDATION.

1. A person who files an individual or a joint income tax return with the department of revenue and finance under section 422.13 may designate one dollar or more to be paid to the Iowa state fair foundation as established in section 173.22. If the refund due on the return or the payment remitted with the return is insufficient to pay the amount designated by the taxpayer to the Iowa state fair foundation, the amount designated shall be reduced to the remaining amount of the refund or the remaining amount remitted with the return. The designation of a contribution to the Iowa state fair foundation under this section is irrevocable.

2. The director of revenue and finance shall draft the income tax form to allow the designation of contributions to the Iowa state fair foundation on the tax return. The department, on or before January 31, shall transfer the total amount designated on the tax form due in the preceding year to the foundation fund created pursuant to section 173.22.

3. The Iowa state fair board may authorize payment from the foundation fund for purposes of supporting foundation activities.

4. The department shall adopt rules to implement this section. However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department of revenue and finance and accounts identified as owing under section 421.17 and the political contribution allowed under section 56.18 shall be satisfied.

Sec. 4. NEW SECTION. 422.12E INCOME TAX RETURN CHECKOFFS LIMITED.

For tax years beginning on or after January 1, 1995, there shall be allowed no more than three income tax return checkoffs on each income tax return. When the same three income tax return checkoffs have been provided on the income

tax return for three consecutive years, the checkoff for which the least amount has been contributed, in the aggregate for the first two tax years and through March 15 of the third tax year, shall be repealed. This section does not apply to the income tax return checkoff provided in section 56.18.

Sec. 5. RETROACTIVE APPLICABILITY. Section 3 of this Act, enacting section 422.12D, applies retroactively to January 1, 1993, for tax years beginning on or after that date.

Sec. 6. CONTINGENT EFFECTIVENESS. This Act is effective only if legislation providing an annual standing appropriation of \$15,000 or more to Iowa Special Olympics, Incorporated, for Special Olympic programs, is enacted by the Seventy-fifth General Assembly during the 1993 Regular Session.

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HAROLD VAN MAANEN  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 660, Seventy-fifth General Assembly.

---

ELIZABETH ISAACSON  
Chief Clerk of the House

Approved May 19, 1993 1993

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TERRY E. BRANSTAD  
Governor