

3-13-97 Do Pass
4-7-97 Local Gov.

MAR 6 1997

LOCAL GOVERNMENT

HOUSE FILE 484
BY MERTZ

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to installment payments for assessments by
2 drainage districts.

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

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HF 484

1 Section 1. Section 468.57, subsection 2, unnumbered
2 paragraph 1, Code 1997, is amended to read as follows:

3 To pay the assessments in not less than ten nor more than
4 twenty equal installments, with the number of payments and
5 interest rate determined by the board, notwithstanding chapter
6 74A.

7 PARAGRAPH DIVIDED. The first installment of each
8 assessment, or the total amount if less than one hundred
9 dollars, is due and payable on July 1 next succeeding the date
10 of the levy, unless the assessment is filed with the county
11 treasurer after May 31 in any year. The first installment
12 shall bear interest on the whole unpaid assessment from the
13 date of the levy as set by the board to the first day of
14 December following the due date. The succeeding annual
15 installments, with interest on the whole unpaid amount, to the
16 first day of December following the due date, are respectively
17 due on July 1 annually, and must be paid at the same time and
18 in the same manner as the first semiannual payment of ordinary
19 taxes. All future installments of an assessment may be paid
20 on any date by payment of the then outstanding balance plus
21 interest ~~accrued to the date of payment~~ to the next December
22 1. Additional annual installments may be paid if the current
23 installment has been paid before December 1. A payment must
24 be for the full amount of the next installment. If
25 installments remain to be paid, the next annual installment
26 with interest added to December 1 shall be due.

27 After December 1, if a drainage assessment is not
28 delinquent, a property owner may pay one-half or all of the
29 next annual installment of principal and interest of a
30 drainage assessment prior to the delinquency date of the
31 installment. When the next installment has been paid in full,
32 successive principal installments may be prepaid. The county
33 treasurer shall accept the payments of the drainage
34 assessment, credit the next annual installment or future
35 installments of the drainage assessment to the extent of the

1 payment or payments, and remit the payments to the drainage
2 fund. If a property owner elects to pay one or more principal
3 installments in advance, the payment schedule shall be
4 advanced by the number of principal installments prepaid.

5 PARAGRAPH DIVIDED. Each installment of an assessment with
6 interest on the unpaid balance is delinquent from October 1
7 after its due date, including those instances when the last
8 day of September is a Saturday or Sunday, and bears the same
9 delinquent interest as ordinary taxes. When collected, the
10 interest must be credited to the same drainage fund as the
11 drainage special assessment.

12 EXPLANATION

13 Code section 468.57 provides for the payment of an
14 assessment within a drainage district according to an
15 installment schedule. The section provides for the future
16 installments of an assessment. A future installment may be
17 paid on any date by payment of the then outstanding balance
18 plus interest. The bill eliminates a provision requiring that
19 the interest accrue to the date of payment, and provides that
20 interest ends on the next December 1. The bill provides that
21 additional annual installments may be paid if the current
22 installment has been paid before December 1. The bill
23 provides that a payment must be for the full amount of the
24 next installment, and if installments remain to be paid, the
25 next annual installment with interest added to December 1 is
26 due. The bill provides that after December 1, if a drainage
27 assessment is not delinquent, a property owner may pay one-
28 half or all of the next annual installment of principal and
29 interest of a drainage assessment prior to the delinquency
30 date of the installment. It provides that when the next
31 installment has been paid in full, successive principal
32 installments may be prepaid. The county treasurer is required
33 to accept the payments, credit the next annual installment,
34 and remit the payment to the district's drainage fund. The
35 bill provides that if a property owner elects to pay one or

S.F. _____

H.F. _____

484

1 more principal installments in advance, the payment schedule
2 shall be advanced by the number of principal installments
3 prepaid.

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HOUSE FILE 484

H-1463

1 Amend House File 484 as follows:

2 1. Page 1, line 22, by striking the figure and
3 word "1. Additional" and inserting the following:

4 "1, or additional".

5 2. Page 1, line 22, by striking the word "if" and
6 inserting the following: "after".

7 3. Page 1, line 23, by striking the figure "1."
8 and inserting the following: "1 without interest.".

9 4. Page 1, line 26, by striking the word "shall"
10 and inserting the following: "will".

11 5. Page 1, line 34, by inserting after the word
12 "assessment," the following: "and shall".

13 6. Page 2, line 1, by inserting after the word
14 "and" the following: "shall".

By HUSEMAN of Cherokee
MERTZ of Kossuth

H-1463 FILED MARCH 27, 1997