

1-15-97 Approp.

FILED JAN 15 1997

SENATE FILE 25
BY RIFE

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

A BILL FOR

1 An Act relating to state reimbursement for the granting of
2 certain property tax credits and rent reimbursements and
3 including effective and applicability date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S.F. 25

1 Section 1. Section 8.59, Code 1997, is amended to read as
2 follows:

3 8.59 APPROPRIATIONS FREEZE.

4 Notwithstanding contrary provisions of the Code, the
5 amounts appropriated under the applicable sections of the Code
6 for fiscal years commencing on or after July 1, 1993, are
7 limited to those amounts expended under those sections for the
8 fiscal year commencing July 1, 1992. If an applicable section
9 appropriates moneys to be distributed to different recipients
10 and the operation of this section reduces the total amount to
11 be distributed under the applicable section, the moneys shall
12 be prorated among the recipients. As used in this section,
13 "applicable sections" means the following sections: 53.50,
14 229.35, 230.8, 230.11, 405A.8, 411.20, ~~425.17-425.397-426A.17~~,
15 663.44, and 822.5.

16 Sec. 2. Section 425.23, subsection 1, paragraph a, Code
17 1997, is amended to read as follows:

18 a. The tentative credit or reimbursement for a claimant
19 described in section 425.17, subsection 2, paragraph "a" and
20 paragraph "b", ~~if no appropriation is made to the fund created~~
21 ~~in section 425.40~~ shall be determined in accordance with the
22 following schedule:

23		Percent of property taxes
24		due or rent constituting
25		property taxes paid
26	If the household	allowed as a credit or
27	income is:	reimbursement:
28	\$ 0 -- 5,999.99	100%
29	6,000 -- 6,999.99	85
30	7,000 -- 7,999.99	70
31	8,000 -- 9,999.99	50
32	10,000 -- 11,999.99	35
33	12,000 -- 13,999.99	25

34 Sec. 3. Section 425.23, subsection 1, paragraph b, Code
35 1997, is amended by striking the paragraph.

1 Sec. 4. Section 425.23, subsection 3, paragraph a, Code
2 1997, is amended to read as follows:

3 a. A person who is eligible to file a claim for credit for
4 property taxes due and who has a household income of six
5 thousand dollars or less and who has an unpaid special
6 assessment levied against the homestead may file a claim for a
7 special assessment credit with the county treasurer. The
8 department shall provide to the respective treasurers the
9 forms necessary for the administration of this subsection.
10 The claim shall be filed not later than September 30 of each
11 year. Upon the filing of the claim, interest for late payment
12 shall not accrue against the amount of the unpaid special
13 assessment due and payable. The claim filed by the claimant
14 constitutes a claim for credit of an amount equal to the
15 actual amount due upon the unpaid special assessment, plus
16 interest, payable during the fiscal year for which the claim
17 is filed against the homestead of the claimant. However,
18 ~~where the claimant is an individual described in section~~
19 ~~425.17, subsection 2, paragraph "b", and the tentative credit~~
20 ~~is determined according to the schedule in section 425.23,~~
21 ~~subsection 1, paragraph "b", subparagraph (2), the claim filed~~
22 ~~constitutes a claim for credit of an amount equal to one-half~~
23 ~~of the actual amount due and payable during the fiscal year.~~
24 The treasurer shall certify to the director of revenue and
25 finance not later than October 15 of each year the total
26 amount of dollars due for claims allowed. The amount of
27 reimbursement due each county shall be paid by the director of
28 revenue and finance by November 15 of each year, drawn upon
29 warrants payable to the respective treasurer. There is
30 appropriated annually from the general fund of the state to
31 the department of revenue and finance an amount sufficient to
32 carry out the provisions of this subsection. The treasurer
33 shall credit any moneys received from the department against
34 the amount of the unpaid special assessment due and payable on
35 the homestead of the claimant.

1 Sec. 5. Section 425.39, subsection 1, Code 1997, is
2 amended to read as follows:

3 1- The extraordinary property tax credit and reimbursement
4 fund is created. There is appropriated annually from the
5 general fund of the state to the department of revenue and
6 finance to be credited to the extraordinary property tax
7 credit and reimbursement fund, from funds not otherwise
8 appropriated, an amount sufficient to implement fund claims of
9 claimants, described in section 425.17, subsection 2,
10 paragraph "a", under this division.

11 Sec. 6. Section 425.39, subsection 2, Code 1997, is
12 amended by striking the subsection.

13 Sec. 7. Section 425.40, subsection 1, Code 1997, is
14 amended to read as follows:

15 1- A low-income tax credit and reimbursement fund is
16 created. There is appropriated annually from the general fund
17 of the state to the department of revenue and finance to be
18 credited to the low-income tax credit and reimbursement fund
19 an amount sufficient to fund claims of claimants, described in
20 section 425.17, subsection 2, paragraph "b", under this
21 division.

22 Sec. 8. Section 425.40, subsection 2, Code 1997, is
23 amended by striking the subsection.

24 Sec. 9. This Act takes effect July 1, 1997, and applies to
25 homestead, military service, and low-income tax credit and
26 rent reimbursement claims payable in fiscal years beginning on
27 or after that date.

28 EXPLANATION

29 The bill provides for standing appropriations to fully fund
30 the cost of granting the homestead tax credit, military
31 service tax credit, and the low-income tax credit and
32 reimbursement at the levels specified prior to the freeze on
33 such appropriations beginning with the 1993-1994 fiscal year.

34 The bill takes effect July 1, 1997, for homestead credit,
35 military service credit and low-income tax credit and

1 reimbursement claims payable in fiscal years beginning on or
2 after July 1, 1997.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35