

FEB 9 1999

WAYS AND MEANS

HOUSE FILE 240
BY KREIMAN

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

A BILL FOR

1 An Act relating to veterans of the United States armed forces, by
2 changing eligibility for veteran property tax exemptions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 240

1 Section 1. Section 427.3, subsections 1 and 2, Code 1999,
2 are amended to read as follows:

3 1. The property, not to exceed two thousand seven hundred
4 seventy-eight dollars in taxable value of any honorably
5 ~~discharged-soldier-sailor-marine-or-nurse~~ veteran, as
6 defined in subsection 3, of the first World War.

7 2. The property, not to exceed one thousand eight hundred
8 fifty-two dollars in taxable value of ~~an-honorably-separated,~~
9 ~~retired-furloughed-to-a-reserve-placed-on-inactive-status,~~
10 ~~or-discharged-soldier-sailor-marine-or-nurse-of-the-second~~
11 ~~World-War-from-December-7-1941-to-December-31-1946-army-of~~
12 ~~occupation-in-Germany-from-November-12-1918-to-July-11~~
13 ~~1923-American-expeditionary-forces-in-Siberia-from-November~~
14 ~~12-1918-to-April-30-1920-second-Nicaraguan-campaign-with~~
15 ~~the-navy-or-marines-in-Nicaragua-or-on-combatant-ships-1926-~~
16 ~~1933-second-Haitian-suppression-of-insurrections-1919-1920,~~
17 ~~navy-and-marine-operations-in-China-1937-1939-and-Yangtze~~
18 ~~service-with-navy-and-marines-in-Shanghai-or-in-the-Yangtze~~
19 ~~Valley-1926-1927-and-1930-1932-or-of-the-Korean-Conflict-at~~
20 ~~any-time-between-June-25-1950-and-January-31-1955-both~~
21 ~~dates-inclusive-or-those-who-served-on-active-duty-during-the~~
22 ~~Vietnam-Conflict-beginning-December-22-1961-and-ending-May~~
23 ~~7-1975-both-dates-inclusive-or-those-who-served-on-active~~
24 ~~duty-during-the-Persian-Gulf-Conflict-at-any-time-between~~
25 ~~August-2-1990-and-the-date-the-president-or-the-Congress-of~~
26 ~~the-United-States-declares-a-permanent-cessation-of~~
27 ~~hostilities-both-dates-inclusive~~ a veteran, as defined in
28 subsection 3. However, ~~if-Congress-enacts-a-date-different~~
29 ~~from-August-2-1990-as-the-beginning-of-the-Persian-Gulf~~
30 ~~Conflict-for-purposes-of-determining-whether-a-veteran-is~~
31 ~~entitled-to-receive-military-benefits-as-a-veteran-of-the~~
32 ~~Persian-Gulf-Conflict-that-date-shall-be-substituted-for~~
33 ~~August-2-1990.--For-the-purposes-of-this-section,"active~~
34 ~~duty" means full-time-duty-in-the-armed-forces-of-the-United~~
35 ~~States-excluding-active-duty-for-training-purposes-only-and~~

1 ~~excluding any period a person was assigned by the armed forces~~
2 ~~to a civilian institution for a course of education or~~
3 ~~training which was substantially the same as established~~
4 ~~courses offered to civilians, or as a cadet or midshipman,~~
5 ~~however enrolled, at one of the service academies.~~

6 Sec. 2. Section 427.3, subsection 3, Code 1999, is amended
7 by striking the subsection and inserting in lieu thereof the
8 following:

9 3. "Veteran" means a resident of this state and former
10 member of the armed forces of the United States who was
11 discharged under honorable conditions. "Veteran" includes the
12 following persons:

13 a. Former members of the reserve forces of the United
14 States who served at least six years in the reserve forces
15 after January 28, 1973, and who were discharged under
16 honorable conditions.

17 b. Former members of the Iowa national guard who served at
18 least six years in the Iowa national guard after January 28,
19 1973, and who were discharged under honorable conditions.

20 c. Former members of the merchant marines who served
21 during World War II at any time between December 7, 1941, and
22 December 31, 1946, both dates inclusive, who were discharged
23 under honorable conditions.

24 d. Former members of the women's air force service pilots
25 and other persons who have been conferred veterans status
26 based on their civilian duties during World War II in
27 accordance with Pub. L. No. 95-202, 38 U.S.C. § 106.

28 Sec. 3. Section 427.4, Code 1999, is amended to read as
29 follows:

30 427.4 EXEMPTIONS TO RELATIVES.

31 ~~In case any person in the foregoing classifications~~ If a
32 veteran does not claim any such exemption from taxation, it
33 shall be allowed in the name of ~~such person~~ the veteran to the
34 same extent on the property of any one of the following
35 persons in the order named:

1 1. The spouse, or surviving spouse remaining unmarried, of
2 any ~~such-soldier, sailor, marine, or nurse~~ veteran, where they
3 are living together or were living together at the time of the
4 death of ~~such-person~~ the veteran.

5 2. The parent whose spouse is deceased and who remains
6 unmarried, of any ~~such-soldier, sailor, marine, or nurse~~
7 veteran, whether living or deceased, where ~~such the~~ parent is,
8 or was at the time of death of the ~~soldier, sailor, marine, or~~
9 nurse veteran, dependent on ~~such-person~~ the veteran for
10 support.

11 3. The minor child, or children owning property as tenants
12 in common, of any ~~such-deceased-soldier, sailor, marine, or~~
13 nurse veteran.

14 No more than one tax exemption shall be allowed under this
15 section or section 427.3 in the name of any ~~honorably~~
16 discharged-soldier, sailor, marine, or nurse veteran.

17 Sec. 4. Section 427.5, unnumbered paragraphs 1 and 2, Code
18 1999, are amended to read as follows:

19 A person named in section 427.3, who is a resident of and
20 domiciled in the state of Iowa, shall receive a reduction
21 equal to the exemption, to be made from any property owned by
22 the person or owned by a family farm corporation of which the
23 person is a shareholder and who occupies the property and so
24 designated by proceeding as provided in the section. To be
25 eligible to receive the exemption the person claiming it shall
26 have recorded in the office of the county recorder of the
27 county in which is located the property designated for the
28 exemption, evidence of property ownership by that person or
29 the family farm corporation of which the person is a
30 shareholder and the military certificate of satisfactory
31 service, order transferring to inactive status, reserve,
32 retirement, order of separation from service, ~~honorable~~
33 discharge under honorable conditions, or a copy of any of
34 these documents of the person claiming or through whom is
35 claimed the exemption.

1 The person shall file with the appropriate assessor on
2 forms obtained from the assessor the claim for exemption for
3 the year for which the person is first claiming the exemption.
4 The claim shall be filed not later than July 1 of the year for
5 which the person is claiming the exemption. The claim shall
6 set out the fact that the person is a resident of and
7 domiciled in the state of Iowa, and a person within the terms
8 of section 427.3, and shall give the volume and page on which
9 the certificate of satisfactory service, order of separation,
10 retirement, furlough to reserve, inactive status, or **honorable**
11 **discharge under honorable conditions**, or certified copy
12 thereof is recorded in the office of the county recorder, and
13 may include the designation of the property from which the
14 exemption is to be made, and shall further state that the
15 claimant is the equitable or legal owner of the property
16 designated or if the property is owned by a family farm
17 corporation, that the person is a shareholder of that
18 corporation and that the person occupies the property.

19 EXPLANATION

20 This bill redefines "veteran" to include persons who served
21 in the armed forces of the United States during peacetime or
22 in civilian occupations which have been given military status
23 when performed during actual conflict or in war zones.
24 In addition to persons who served in the armed forces
25 during wars or military conflicts, the term "veteran" includes
26 former members of the armed forces who served on active duty
27 during peacetime and were discharged under honorable
28 conditions, former members of the national guard or military
29 reserve who served six or more years and were discharged under
30 honorable conditions, former members of the merchant marines
31 who served during World War II and were discharged under
32 honorable conditions, and former members of the women's air
33 force service pilots and other persons who have been conferred
34 veteran status based on their civilian duties during World War
35 II. The definition changes make these persons and their

1 families eligible for veteran property tax exemptions.
2 The bill may include a state mandate as defined in Code
3 section 25B.3.

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