

House File 769

Bill Text

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1 1 HOUSE FILE 769
1 2
1 3 AN ACT
1 4 RELATING TO THE CLASSIFICATION OF APARTMENTS IN CONDOMINIUMS
1 5 FOR PURPOSES OF PROPERTY TAXATION.
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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 9 Section 1. Section [499B.11](#), subsection 1, Code 1999, is
1 10 amended to read as follows:
1 11 1. All real property taxes and special assessments shall
1 12 be assessed and levied on each apartment and its respective
1 13 appurtenant fractional share or percentage of the land,
1 14 general common elements and limited common elements where
1 15 applicable as such apartments and appurtenances are separately
1 16 owned, and not on the entire horizontal property regime.
1 17 Sec. 2. Section [499B.11](#), Code 1999, is amended by adding
1 18 the following new subsection:
1 19 NEW SUBSECTION. 1A. An apartment meeting either of the
1 20 following conditions shall be classified as follows:
1 21 a. An apartment used for human habitation on January 1,
1 22 1999, or an apartment intended for use for human habitation in
1 23 a horizontal property regime pursuant to a declaration
1 24 submitting a parcel of real property to a horizontal property
1 25 regime pursuant to section 499B.3, which was recorded prior to
1 26 January 1, 1999, shall be classified as residential real
1 27 estate as long as the apartment is used for human habitation.
1 28 b. An apartment intended for use for human habitation
1 29 included in a development plan for a horizontal property
1 30 regime which was approved by the city or county having
1 31 jurisdiction over the real property included in the
1 32 development plan prior to January 1, 1999, and which is
1 33 included substantially in accordance with the development plan
1 34 in an extension of a horizontal property regime established
1 35 pursuant to a declaration submitting a parcel of contiguous
2 1 real estate to a horizontal property regime pursuant to
2 2 section 499B.3, which was recorded prior to January 1, 1999,
2 3 shall be classified as residential real estate as long as the
2 4 apartment is used for human habitation.
2 5 c. This subsection is repealed December 31, 2004.
2 6 Sec. 3. STUDY REQUESTED. The legislative council is
2 7 requested to establish an interim committee to study the issue
2 8 of the property taxation of apartments, as defined in section
2 9 499B.2, subsection 1, in horizontal property regimes,
2 10 including the classification for property tax purposes of
2 11 apartments in horizontal property regimes containing multiple
2 12 uses, and to report its recommendations, if any, to the
2 13 general assembly by January 15, 2000.
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BRENT SIEGRIST
2 18 Speaker of the House
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MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 769, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved _____, 1999

3 1 THOMAS J. VILSACK
3 2 Governor