

AGRICULTURE

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SENATE FILE

198

BY MILLER

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

A BILL FOR

1 An Act relating to the imposition of an annual conservation and
 2 land preservation tax for agricultural property converted to
 3 residential or commercial use and providing penalties.

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

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1 conserving farmland in the state, including funding of
2 conservation programs administered by the soil conservation
3 division of the department of agriculture and land
4 stewardship.

5 Sec. 4. NEW SECTION. 428B.4 LIABILITY FOR TAX.

6 Any person who owns or has an ownership interest in land,
7 tenement, or realty by a deed, writing, or instrument subject
8 to the tax imposed by this chapter shall be liable for such
9 tax, including state and local government entities.

10 Sec. 5. NEW SECTION. 428B.5 FORMS PROVIDED BY DIRECTOR
11 OF REVENUE AND FINANCE.

12 The director of revenue and finance shall prescribe the
13 form of the declaration of conversion and shall include an
14 appropriate place for the inclusion of special facts and
15 circumstances relating to the corn suitability rating. The
16 director shall provide an adequate number of the declaration
17 of conversion forms to each county treasurer in the state.

18 Sec. 6. NEW SECTION. 428B.6 PENALTY FOR FAILURE TO PAY.

19 Any person liable for the tax imposed by this chapter who
20 knowingly fails to comply with this chapter relating to the
21 payment of the conservation and land preservation tax is
22 guilty of a simple misdemeanor.

23 Sec. 7. NEW SECTION. 428B.7 PENALTY FOR FALSE
24 INFORMATION.

25 Any person who willfully enters false information on the
26 declaration of value as it relates to corn suitability rating
27 is guilty of a simple misdemeanor.

28 Sec. 8. NEW SECTION. 428B.8 ENFORCEMENT.

29 The director of revenue and finance shall enforce the
30 provisions of this chapter and may adopt rules pursuant to
31 chapter 17A for their detailed and efficient administration.

32 Sec. 9. NEW SECTION. 428B.9 NONAPPLICABILITY.

33 This chapter shall not apply with respect to any property
34 where the use of the property may not under the Constitution
35 of this state or under the laws or Constitution of the United

1 States be made the subject of taxation by this state.

2 EXPLANATION

3 The bill imposes a conservation and land preservation tax
4 on the owner, including state and local government entities,
5 for the conversion of agricultural property to a commercial or
6 residential use. The tax is imposed as of the date the
7 conversion takes place and is payable annually until such time
8 as the land is reconverted to an agricultural use. The amount
9 of the tax is based upon the corn suitability rating (CSR) of
10 each acre of agricultural land converted. If the CSR is 50 or
11 less, no tax is imposed. If the CSR is more than 50, the tax
12 equals \$50 plus \$1 for each CSR rating unit above 50. The tax
13 is prorated if less than an acre is later subdivided or
14 converted.

15 The original tax is due and payable by the end of the month
16 following the month in which the date of conversion takes
17 place. This tax is payable to the county treasurer to be used
18 to defray costs of the county's administration. The
19 subsequent years' taxes are due and payable by the end of the
20 month following the month in which the anniversary date
21 occurs. This tax is payable to the county treasurer who
22 remits the revenue to the state treasurer. The moneys from
23 the tax are to be appropriated by the general assembly only
24 for purposes of preserving or conserving Iowa farmland,
25 including funding of conservation programs.

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