

House File 857 - Introduced

HOUSE FILE _____
BY THOMAS

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

A BILL FOR

1 An Act allowing belated claims for homestead and military service
2 tax credits.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2782HH 82
5 mg/je/5

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1 1 Section 1. Section 425.2, unnumbered paragraph 1, Code
1 2 2007, is amended to read as follows:
1 3 A person who wishes to qualify for the credit allowed under
1 4 this chapter shall obtain the appropriate forms for filing for
1 5 the credit from the assessor. The person claiming the credit
1 6 shall file a verified statement and designation of homestead
1 7 with the assessor for the year for which the person is first
1 8 claiming the credit. The claim shall be filed not later than
1 9 July 1 of the year for which the person is claiming the
1 10 credit. ~~A claim filed after July 1 of the year for which the~~
~~1 11 person is claiming the credit shall be considered as a claim~~
~~1 12 filed for the following year.~~

1 13 Sec. 2. Section 425.2, Code 2007, is amended by adding
1 14 after unnumbered paragraph 1, the following new unnumbered
1 15 paragraph:
1 16 NEW UNNUMBERED PARAGRAPH. The failure of a person to file
1 17 a claim under this section on or before July 1 of the year for
1 18 which the person is first claiming the credit or to have the
1 19 evidence of ownership recorded in the office of the county
1 20 recorder does not disqualify the claim if the person claiming
1 21 the credit or through whom the credit is claimed is otherwise
1 22 qualified. The belated claim shall be filed with the
1 23 appropriate assessor on or before December 31 of the following
1 24 calendar year and, if approved by the board of supervisors,
1 25 the county treasurer shall file an amended certificate of
1 26 homestead tax credits with the director of revenue pursuant to
1 27 section 425.4.

1 28 Sec. 3. Section 426A.13, Code 2007, is amended by adding
1 29 the following new unnumbered paragraph after unnumbered
1 30 paragraph 2:

1 31 NEW UNNUMBERED PARAGRAPH. The failure of a person to file
1 32 a claim under this section before July 1, of the year for
1 33 which the person is first claiming the exemption or to have
1 34 evidence of property ownership and satisfactory service,
1 35 separation, retirement, furlough to reserve, inactive status,
2 1 or honorable discharge recorded in the office of the county
2 2 recorder does not disqualify the claim if the person claiming
2 3 the exemption or through whom the exemption is claimed is
2 4 otherwise qualified. The belated claim shall be filed with
2 5 the appropriate assessor on or before December 31 of the
2 6 following calendar year and, if approved by the board of
2 7 supervisors, the county treasurer shall file an amended
2 8 certificate of military service tax credits with the director
2 9 of revenue pursuant to section 426A.3.

2 10 EXPLANATION

2 11 Under present law a person who first files a claim for the
2 12 homestead tax credit or the military service tax credit must
2 13 do so by July 1 of the calendar year preceding the calendar
2 14 year in which the fiscal year that the taxes are due and
2 15 payable begins. Belated claims are not allowed. This bill
2 16 allows belated claims to be filed after the July 1 deadline
2 17 until December 31 of the following calendar year.

2 18 LSB 2782HH 82

2 19 mg:sc/je/5