

Senate Study Bill 1250

SENATE FILE _____
BY (PROPOSED COMMITTEE ON WAYS
AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

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

A BILL FOR

1 An Act relating to the disposition of certain real estate
2 transfer tax receipts by the treasurer of state to certain
3 funds.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2592SC 82
6 tm/es/88

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1 1 Section 1. Section 428A.8, Code 2007, is amended to read
1 2 as follows:
1 3 428A.8 REMITTANCE TO STATE TREASURER == PORTION RETAINED
1 4 IN COUNTY.
1 5 1. On or before the tenth day of each month the county
1 6 recorder shall determine and pay to the treasurer of state
1 7 eighty-two and three-fourths percent of the receipts from the
1 8 real estate transfer tax collected during the preceding month
1 9 and the treasurer of state shall deposit ~~ninety-five percent~~
1 10 ~~of the receipts in the general fund of the state and transfer~~
1 11 ~~five percent of the receipts to the shelter assistance fund~~
1 12 ~~created in section 15.349 as provided in subsection 2.~~
1 13 The county recorder shall deposit the remaining seventeen
1 14 and one-fourth percent of the receipts in the county general
1 15 fund.
1 16 Any tax or additional tax found to be due shall be
1 17 collected by the county recorder. If the county recorder is
1 18 unable to collect the tax, the director of revenue shall
1 19 collect the tax in the same manner as taxes are collected in
1 20 chapter 422, division III. If collected by the director of
1 21 revenue, the director shall pay the county its proportionate
1 22 share of the tax. Section 422.25, subsections 1, 2, 3, and 4,
1 23 and sections 422.26, 422.28 through 422.30, and 422.73,
1 24 consistent with this chapter, apply with respect to the
1 25 collection of any tax or additional tax found to be due, in
1 26 the same manner and with the same effect as if the deed,
1 27 instrument, or writing were an income tax return within the
1 28 meaning of those statutes.
1 29 The county recorder shall keep records and make reports
1 30 with respect to the real estate transfer tax as the director
1 31 of revenue prescribes.
1 32 2. The treasurer of state shall deposit or transfer the
1 33 receipts paid the treasurer of state pursuant to subsection 1
1 34 to either the general fund of the state, the housing trust
1 35 fund created in section 16.181, or the shelter assistance fund
2 1 created in section 15.349 as follows:
2 2 a. For the fiscal year beginning July 1, 2007, sixty
2 3 percent of the receipts shall be deposited in the general
2 4 fund, thirty-five percent of the receipts shall be transferred
2 5 to the housing trust fund, and five percent of the receipts
2 6 shall be transferred to the shelter assistance fund.
2 7 b. For the fiscal year beginning July 1, 2008, fifty-five
2 8 percent of the receipts shall be deposited in the general
2 9 fund, forty percent of the receipts shall be transferred to
2 10 the housing trust fund, and five percent of the receipts shall
2 11 be transferred to the shelter assistance fund.
2 12 c. For the fiscal year beginning July 1, 2009, and each
2 13 fiscal year thereafter, fifty percent of the receipts shall be
2 14 deposited in the general fund, forty-five percent of the
2 15 receipts shall be transferred to the housing trust fund, and
2 16 five percent of the receipts shall be transferred to the
2 17 shelter assistance fund.

2 18

EXPLANATION

2 19 This bill relates to the disposition of certain real estate
2 20 transfer tax receipts by the treasurer of state.

2 21 Currently, when there is consideration and the actual
2 22 market value of the real property transferred is in excess of
2 23 \$500, the tax is 80 cents for each \$500 or fractional part of
2 24 \$500 in excess of \$500. On or before the 10th day of each
2 25 month, the county recorder determines and pays to the
2 26 treasurer of state 82.75 percent of the receipts from the real
2 27 estate transfer tax collected during the preceding month and
2 28 the treasurer of state deposits 95 percent of the receipts in
2 29 the general fund of the state and transfers 5 percent of the
2 30 receipts to the shelter assistance fund.

2 31 The bill modifies the use of the receipts that are paid to
2 32 the treasurer of state each month. For FY 2007=2008, the bill
2 33 reduces the percentage of receipts deposited in the general
2 34 fund to 60 percent and the percentage is reduced each fiscal
2 35 year thereafter by 5 percent. By FY 2009=2010, and each

3 1 fiscal year thereafter, 50 percent of the receipts received by
3 2 the treasurer of state shall be deposited in the general fund.

3 3 For FY 2007=2008, the bill transfers 35 percent of the
3 4 receipts to the housing trust fund and the percentage is
3 5 increased each fiscal year thereafter by 5 percent. By FY
3 6 2009=2010, and each fiscal year thereafter, 45 percent of the
3 7 receipts received by the treasurer of state shall be
3 8 transferred to the housing trust fund. The bill does not
3 9 modify the percentage of receipts being transferred to the
3 10 shelter assistance fund.

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