

Senate File 2193 - Introduced

SENATE FILE 2193

BY CHELGREN

A BILL FOR

1 An Act creating an exemption from the computation of the state
2 individual income tax of net capital gains from an equity
3 investment in a qualified Iowa business and including
4 retroactive applicability provisions.

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

1 Section 1. Section 422.7, Code Supplement 2011, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 57. *a.* Subtract, to the extent included,
4 the net capital gains from the sale of an equity investment in
5 a qualified Iowa business.

6 *b.* In order to be eligible for the deduction in paragraph
7 "a", the taxpayer must be a resident of this state.

8 *c.* For purposes of this subsection:

9 (1) "*Equity investment*" means an equity interest in a
10 business which equity interest was received in exchange for
11 a capital contribution or payment in the form of cash, real
12 property, or tangible personal property.

13 (2) "*Qualified Iowa business*" means a business whose
14 commercial domicile, as defined in section 422.32, is
15 in this state, and includes a sole proprietorship, joint
16 venture, partnership, limited liability company, corporation,
17 association, or any other business entity operated for profit.

18 Sec. 2. RETROACTIVE APPLICABILITY. This division of this
19 Act applies retroactively to January 1, 2012, for tax years
20 beginning on or after that date.

21 EXPLANATION

22 This bill creates an exemption from the computation of
23 net income for the individual income tax of net capital
24 gains from the sale of an equity investment in a qualified
25 Iowa business. "Equity investment" is defined as an equity
26 interest in a business that was received in exchange for a
27 capital contribution or payment in the form of cash, real
28 property, or tangible personal property. "Qualified Iowa
29 business" is defined as any business operated for profit whose
30 commercial domicile is in Iowa. In order to be eligible for
31 this exemption a taxpayer must be a resident of Iowa.

32 The bill applies retroactively to January 1, 2012, for tax
33 years beginning on or after that date.