

Senate Study Bill 3199 - Introduced

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

A BILL FOR

1 An Act relating to property taxation by modifying provisions
2 relating to equalization orders and requiring certain
3 equalization order notices.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 441.26, subsection 2, Code Supplement
2 2011, is amended to read as follows:

3 2. The notice in 1981 and each odd-numbered year thereafter
4 shall contain a statement that the assessments are subject to
5 equalization pursuant to an order issued by the director of
6 revenue, that the county auditor shall give notice on or before
7 October 15 by both individual notices mailed to each commercial
8 or industrial property owner or taxpayer whose valuations have
9 been adjusted by the equalization order and publication in
10 an official newspaper of general circulation to any class of
11 property affected by the equalization order, and that the board
12 of review shall be in session from October 15 to November 15 to
13 hear protests of affected property owners or taxpayers whose
14 valuations have been adjusted by the equalization order.

15 Sec. 2. Section 441.49, Code Supplement 2011, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 1A. If a property owner or aggrieved
18 taxpayer who is dissatisfied with the owner's or taxpayer's
19 assessment files a protest against such assessment with the
20 board of review during the board of review's session specified
21 in section 441.33 and the board of review's final disposition
22 of the protest results in a reduction in the assessment, the
23 assessment of such parcel shall not be subject to an increase
24 in valuation as the result of an equalization order of the
25 director of revenue issued during the same assessment year for
26 which the owner's or taxpayer's assessment was reduced by the
27 local board of review.

28 Sec. 3. Section 441.49, subsection 2, paragraph a, Code
29 Supplement 2011, is amended to read as follows:

30 a. On or before October 15 the county auditor shall notify
31 by mail each commercial or industrial property owner or
32 taxpayer whose valuations have been adjusted by an equalization
33 order and cause to be published in official newspapers of
34 general circulation the final equalization order. The
35 individual notices mailed to each affected commercial or

1 industrial property owner or taxpayer and the publication shall
2 include, in type larger than the remainder of the notice or
3 publication, the following ~~statement~~ statements:
4 Assessed values are equalized by the department of revenue
5 every two years. Local taxing authorities determine the final
6 tax levies and may reduce property tax rates to compensate
7 for any increase in valuation due to equalization. If you
8 are not satisfied that your assessment as adjusted by the
9 equalization order is correct, you may file a protest against
10 such assessment with the board of review on or after October
11 15, to and including October 25.

12 EXPLANATION

13 This bill relates to property taxation by modifying
14 provisions relating to equalization orders and requiring
15 certain equalization order notices.

16 Current Code section 441.47 requires the department of
17 revenue to, in each odd-numbered year, order the equalization
18 of the levels of assessment of each class of property in the
19 several assessing jurisdictions by adding to or deducting
20 from the valuation of each class of property if the aggregate
21 assessed valuation of that class of property is at least 5
22 percent above or below the valuation of that class of property
23 statewide. Current Code section 441.26 requires the county
24 auditor to publish notice of such final equalization order
25 in an official newspaper of general circulation. The bill
26 requires the county auditor, in addition to the published
27 notice, to provide individual notices mailed to each commercial
28 or industrial property owner or taxpayer whose valuations
29 have been adjusted by the equalization order. The bill also
30 specifies certain statements that must appear on such notices,
31 including a statement of the owner's or taxpayer's ability
32 to file a protest against an assessment adjusted by the
33 equalization order with the local board of review if the owner
34 or taxpayer is not satisfied with the adjusted assessment.

35 The bill provides that if a property owner or aggrieved

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1 taxpayer who is dissatisfied with the owner's or taxpayer's
2 assessment files a protest against such assessment with the
3 board of review during the board of review's session specified
4 in current Code section 441.33 and the board of review's final
5 disposition of the protest results in a reduction in the
6 assessment, the assessment of such parcel shall not be subject
7 to an increase in valuation as the result of an equalization
8 order of the director of revenue issued during the same
9 assessment year for which the owner's or taxpayer's assessment
10 was reduced by the local board of review.