

**House File 2099 - Introduced**

HOUSE FILE 2099

BY FORRISTALL

**A BILL FOR**

1 An Act relating to the method of collecting property taxes by a  
2 county treasurer and including applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 435.24, subsection 6, paragraph a, Code  
2 2014, is amended to read as follows:

3 a. As an alternative to the semiannual or annual payment of  
4 taxes, the county treasurer ~~may~~ shall accept partial payments  
5 of current year home taxes and shall implement a payment system  
6 or modify the current system to accept monthly payments of  
7 current year home taxes, including payments using automatic  
8 direct withdrawal from a taxpayer's bank account if authorized  
9 in writing by the taxpayer. The treasurer shall transfer  
10 amounts from each taxpayer's account to be applied to each  
11 semiannual tax installment prior to the delinquency dates  
12 specified in section 445.37 and the amounts collected shall  
13 be apportioned by the tenth of the month following transfer.  
14 If, prior to the due date of each semiannual installment,  
15 the account balance is insufficient to fully satisfy the  
16 installment, the treasurer shall transfer and apply the entire  
17 account balance, leaving an unpaid balance of the installment.  
18 Interest shall attach on the unpaid balance in accordance with  
19 section 445.39. Unless funds sufficient to fully satisfy the  
20 delinquency are received, the treasurer shall collect the  
21 unpaid balance as provided in sections 445.3 and 445.4 and  
22 chapter 446. Any remaining balance in a taxpayer's account in  
23 excess of the amount needed to fully satisfy an installment  
24 shall remain in the account to be applied toward the next  
25 semiannual installment. Any interest income derived from the  
26 account shall be deposited in the county's general fund to  
27 cover administrative costs. The treasurer shall send a notice  
28 with the tax statement or by separate mail to each taxpayer  
29 stating that, upon request to the treasurer, the taxpayer may  
30 make partial payments of current year home taxes.

31 Sec. 2. Section 445.36A, subsection 1, Code 2014, is amended  
32 to read as follows:

33 1. As an alternative to the semiannual or annual payment of  
34 taxes, the county treasurer ~~may~~ shall accept partial payments  
35 of taxes and shall implement a payment system or modify the

1 current system to accept monthly payments of current year  
2 taxes, including payments using automatic direct withdrawal  
3 from a taxpayer's bank account if authorized in writing by  
4 the taxpayer. The treasurer shall transfer amounts from  
5 each taxpayer's account to be applied to each semiannual tax  
6 installment prior to the delinquency dates specified in section  
7 445.37 and the amounts collected shall be apportioned by the  
8 tenth of the month following transfer. If, prior to the due  
9 date of each semiannual installment, the account balance is  
10 insufficient to fully satisfy the installment, the treasurer  
11 shall transfer and apply the entire account balance, leaving an  
12 unpaid balance of the installment. Interest shall attach on  
13 the unpaid balance in accordance with section 445.39. Unless  
14 funds sufficient to fully satisfy the delinquency are received,  
15 the treasurer shall collect the unpaid balance as provided  
16 in sections 445.3 and 445.4 and chapter 446. Any remaining  
17 balance in a taxpayer's account in excess of the amount needed  
18 to fully satisfy an installment shall remain in the account  
19 to be applied toward the next semiannual installment. Any  
20 interest income derived from the account shall be deposited  
21 in the county's general fund to cover administrative costs.  
22 The treasurer shall send a notice with the tax statement or by  
23 separate mail to each taxpayer stating that, upon request to  
24 the treasurer, the taxpayer may make partial payments of taxes.

25 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
26 3, shall not apply to this Act.

27 Sec. 4. APPLICABILITY. This Act applies to property taxes  
28 due and payable in fiscal years beginning on or after July 1,  
29 2015.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 Current law allows county treasurers to accept partial  
34 payments for the current year property taxes as an alternative  
35 to the semiannual or annual payment of property taxes under

1 Code sections 435.24 (mobile and manufactured homes) and  
2 445.36A. This bill requires county treasurers to accept  
3 partial payments and requires the implementation of a payment  
4 system or modification of the current system to accept monthly  
5 payments of current year taxes, including payments using  
6 automatic direct withdrawal from a taxpayer's bank account if  
7 authorized in writing by the taxpayer.

8 The bill may include a state mandate as defined in Code  
9 section 25B.3. The bill makes inapplicable Code section 25B.2,  
10 subsection 3, which would relieve a political subdivision from  
11 complying with a state mandate if funding for the cost of  
12 the state mandate is not provided or specified. Therefore,  
13 political subdivisions are required to comply with any state  
14 mandate included in the bill.

15 This bill applies to property taxes due and payable in fiscal  
16 years beginning on or after July 1, 2015.