

House File 2459 - Introduced

HOUSE FILE 2459

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2076)

A BILL FOR

1 An Act relating to the individual income tax by creating a tax
2 credit for reserve peace officers and by increasing the
3 amount of the tax credit for volunteer fire fighter and
4 volunteer emergency medical services personnel and including
5 retroactive applicability provisions.

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

1 Section 1. Section 422.12, subsection 1, Code 2014, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0c.* "Reserve peace officer" means a
4 reserve peace officer as defined in section 80D.1A who has met
5 the minimum training standards established by the Iowa law
6 enforcement academy pursuant to chapter 80D.

7 Sec. 2. Section 422.12, subsection 1, paragraph e, Code
8 2014, is amended by striking the paragraph and inserting in
9 lieu thereof the following:

10 *e.* "Volunteer fire fighter" means an individual that meets
11 both of the following requirements:

12 (1) The individual is an active member of an organized
13 volunteer fire department in this state or is performing
14 services as a volunteer fire fighter for a municipality,
15 township, or benefited fire district at the request of the
16 chief or other person in command of the fire department of the
17 municipality, township, or benefited fire district, or of any
18 other officer of the municipality, township, or benefited fire
19 district having authority to demand such service. A person
20 performing such services shall not be classified as a casual
21 employee.

22 (2) The individual has met the minimum training standards
23 established by the fire service training bureau pursuant to
24 chapter 100B.

25 Sec. 3. Section 422.12, subsection 2, paragraph c,
26 subparagraph (1), unnumbered paragraph 1, Code 2014, is amended
27 to read as follows:

28 A volunteer fire fighter and volunteer emergency medical
29 services personnel credit equal to ~~fifty~~ one hundred dollars
30 to compensate the taxpayer for the voluntary services if the
31 volunteer served for the entire tax year.

32 Sec. 4. Section 422.12, subsection 2, Code 2014, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. *d.* (1) A reserve peace officer credit equal
35 to one hundred dollars to compensate the taxpayer for services

1 as a reserve peace officer if the reserve peace officer served
2 for the entire tax year.

3 (2) If the taxpayer is not a reserve peace officer for
4 the entire tax year, the maximum amount of the credit shall
5 be prorated and the amount of credit for the taxpayer shall
6 equal the maximum amount of credit for the tax year, divided
7 by twelve, multiplied by the number of months in the tax year
8 the taxpayer was a reserve peace officer. The credit shall be
9 rounded to the nearest dollar. If the taxpayer is a reserve
10 peace officer any part of a month, the taxpayer shall be
11 considered a reserve peace officer for the entire month.

12 (3) If the taxpayer is a reserve peace officer during the
13 same month as the taxpayer is a volunteer fire fighter or
14 volunteer emergency medical services personnel, as defined in
15 this section, a credit may be claimed for only one position for
16 that month under either this paragraph or paragraph "c".

17 (4) The taxpayer is required to have a written statement
18 from the chief of police, sheriff, commissioner of public
19 safety, or other appropriate supervisor verifying that the
20 taxpayer was a reserve peace officer for the months for which
21 the credit under this paragraph is claimed.

22 Sec. 5. RETROACTIVE APPLICABILITY. This Act applies
23 retroactively to January 1, 2014, for tax years beginning on
24 or after that date.

25

EXPLANATION

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

28 This bill relates to the individual income tax by creating
29 a tax credit for reserve peace officers and by modifying the
30 tax credit for volunteer fire fighter and volunteer emergency
31 medical services personnel.

32 The bill increases to \$100 from \$50 the amount of the
33 volunteer fire fighter and volunteer emergency medical services
34 personnel tax credit available against the state individual
35 income tax. The bill also amends the definition of "volunteer

1 fire fighter" to remove the requirement that the person not be
2 a full-time member of a paid fire department.

3 The bill provides a nonrefundable individual income tax
4 credit for an individual who is a reserve peace officer who
5 meets the minimum training standards and who served as a
6 reserve peace officer for the entire tax year. The credit
7 is to compensate the individual for services as a reserve
8 peace officer. The amount of the credit equals \$100. If the
9 individual was not a reserve peace officer for the entire tax
10 year, the amount of the credit is prorated based upon the
11 months of service as a reserve peace officer. If the taxpayer
12 is also a volunteer fire fighter or volunteer emergency medical
13 services personnel for which a credit is allowed under Code
14 section 422.12 for any month, the taxpayer shall only be
15 allowed to claim a credit for one position for that month.

16 The bill applies retroactively to January 1, 2014, for tax
17 years beginning on or after that date.