

House File 2601 - Introduced

HOUSE FILE 2601

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2357)

A BILL FOR

- 1 An Act relating to filing for specified property tax credits
- 2 and including effective date and retroactive applicability
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 425.2, subsection 1, Code 2020, is
2 amended to read as follows:

3 1. a. A person who wishes to qualify for the credit allowed
4 under this chapter shall obtain the appropriate forms for
5 filing for the credit from the assessor. The person claiming
6 the credit shall file a verified statement and designation
7 of homestead with the assessor for the year for which the
8 person is first claiming the credit. The Except as provided
9 in paragraph "b", the claim shall be filed not later than July
10 1 of the year for which the person is claiming the credit. A
11 claim filed after July 1 or the date under paragraph "b", if
12 applicable, of the year for which the person is claiming the
13 credit shall be considered as a claim filed for the following
14 year.

15 b. If the homestead is acquired by the person on or after
16 June 25 but before July 1 of the year for which the person
17 is first claiming the credit, the claim shall be filed not
18 later than seven days following the date of the real estate
19 closing and the person shall be considered to be occupying the
20 homestead beginning on the date of the real estate closing.

21 Sec. 2. Section 425.3, subsection 3, Code 2020, is amended
22 to read as follows:

23 3. Not later than July 6 15 of each year, the assessor
24 shall remit the statements and designation of homesteads to the
25 county auditor with the assessor's recommendation for allowance
26 or disallowance. If the assessor recommends disallowance
27 of a claim, the assessor shall submit the reasons for the
28 recommendation, in writing, to the county auditor.

29 Sec. 3. Section 426A.13, subsection 2, Code 2020, is amended
30 to read as follows:

31 2. a. The person shall file with the appropriate assessor
32 on forms obtained from the assessor the claim for exemption for
33 the year for which the person is first claiming the exemption.
34 The Except as provided in paragraph "b", the claim shall be
35 filed not later than July 1 of the year for which the person

1 is claiming the exemption. The claim shall set out the fact
2 that the person is a resident of and domiciled in the state
3 of Iowa, and a person within the terms of [section 426A.11](#),
4 and shall give the volume and page on which the certificate
5 of satisfactory service, order of separation, retirement,
6 furlough to reserve, inactive status, or honorable discharge or
7 certified copy thereof is recorded in the office of the county
8 recorder, and may include the designation of the property
9 from which the exemption is to be made, and shall further
10 state that the claimant is the equitable or legal owner of the
11 property designated or if the property is owned by a family
12 farm corporation, that the person is a shareholder of that
13 corporation and that the person occupies the property. In the
14 case of a person claiming the exemption as a veteran described
15 in [section 35.1, subsection 2](#), paragraph "b", subparagraph (6)
16 or (7), the person shall file the statement required by section
17 35.2.

18 b. If the property is acquired by the person on or after
19 June 25 but before July 1 of the year for which the person is
20 first claiming the exemption, the claim shall be filed not
21 later than seven days following the date of the real estate
22 closing and the person shall be considered to be occupying the
23 property beginning on the date of the real estate closing.

24 Sec. 4. Section 426A.14, subsection 3, Code 2020, is amended
25 to read as follows:

26 3. Not later than July 6 15 of each year, the assessor
27 shall remit the claims and designations of property to the
28 county auditor with the assessor's recommendation for allowance
29 or disallowance. If the assessor recommends disallowance
30 of a claim, the assessor shall submit the reasons for the
31 recommendation, in writing, to the county auditor.

32 Sec. 5. Section 426C.3, subsection 2, paragraph a,
33 subparagraph (2), Code 2020, is amended to read as follows:

34 (2) Claims for the business property tax credit against
35 taxes due and payable in fiscal years beginning on or after

1 July 1, 2017, shall be filed not later than July 1 preceding
2 the fiscal year during which the taxes for which the credit
3 is claimed are due and payable. However, if the property is
4 acquired by the person on or after June 25 but before July 1
5 immediately preceding the July 1 filing deadline, the claim
6 shall be filed not later than seven days following the date of
7 acquisition.

8 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
9 importance, takes effect upon enactment.

10 Sec. 7. RETROACTIVE APPLICABILITY. This Act applies
11 retroactively to assessment years beginning on or after January
12 1, 2020.

13 EXPLANATION

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

16 Code section 425.2 provides that a claim for the homestead
17 property tax credit shall be filed not later than July 1 of the
18 assessment year for which the person is claiming the credit.
19 A claim filed after July 1 of the year for which the person is
20 claiming the credit shall be considered as a claim filed for
21 the following year. This bill provides that if the homestead
22 is acquired by the person on or after June 25 but before July 1
23 of the assessment year for which the person is first claiming
24 the credit, the claim shall be filed not later than seven days
25 following the date of the real estate closing and the person
26 shall be considered to be occupying the property beginning on
27 the date of the real estate closing.

28 The bill makes corresponding changes to other deadlines
29 relating to the homestead credit and makes similar changes to
30 the application deadlines for the business property tax credit
31 under Code chapter 426C and the military service credit under
32 Code chapter 426A.

33 The bill takes effect upon enactment and applies
34 retroactively to assessment years beginning on or after January
35 1, 2020.