

House File 92 - Introduced

HOUSE FILE 92

BY JACOBY

A BILL FOR

1 An Act modifying provisions relating to the additional property
2 tax credit for elderly persons and including applicability
3 provisions.

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

1 Section 1. Section 425.17, subsection 2, paragraph a, Code
2 2023, is amended to read as follows:

3 a. "Claimant" means any of the following:

4 (1) ~~A person filing a claim for credit under this subchapter~~
5 ~~who has attained the age of sixty-five years but who has~~
6 ~~not attained the age of seventy years on or before December~~
7 ~~31 of the base year,~~ a person filing a claim for credit or
8 reimbursement under **this subchapter** who is totally disabled
9 and was totally disabled on or before December 31 of the base
10 year, or a person filing a claim for reimbursement under this
11 subchapter who has attained the age of sixty-five years on or
12 before December 31 of the base year and who is domiciled in
13 this state at the time the claim is filed or at the time of the
14 person's death in the case of a claim filed by the executor or
15 administrator of the claimant's estate.

16 (2) A person filing a claim for credit or reimbursement
17 under **this subchapter** who has attained the age of twenty-three
18 years on or before December 31 of the base year or was a head
19 of household on December 31 of the base year, as defined in
20 the Internal Revenue Code, but has not attained the age or
21 disability status described in subparagraph (1) or the age
22 status ~~and eligibility criteria~~ of subparagraph (3), and is
23 domiciled in this state at the time the claim is filed or at the
24 time of the person's death in the case of a claim filed by the
25 executor or administrator of the claimant's estate, and was not
26 claimed as a dependent on any other person's tax return for the
27 base year.

28 (3) A person filing a claim for credit under **this subchapter**
29 who has attained the age of seventy sixty-five years on or
30 before December 31 of the base year, ~~who has a household income~~
31 ~~of less than two hundred fifty percent of the federal poverty~~
32 ~~level, as defined by the most recently revised poverty income~~
33 ~~guidelines published by the United States department of health~~
34 ~~and human services,~~ and is domiciled in this state at the time
35 the claim is filed or at the time of the person's death in the

1 case of a claim filed by the executor or administrator of the
2 claimant's estate.

3 Sec. 2. APPLICABILITY. This Act applies to claims under
4 chapter 425, subchapter II, filed on or after January 1, 2024.

5 EXPLANATION

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

8 This bill modifies the eligibility for and the calculation
9 of the amount of the property tax credit under Code chapter
10 425, subchapter II.

11 Under current law, a person filing a claim for the property
12 tax credit who is at least 65 years of age, meets certain
13 income requirements, and does not meet other age and income
14 eligibility criteria, is eligible for a credit based on income
15 equal to specified percentages of property taxes due under
16 the schedule in Code section 425.23(1)(a), but not to exceed
17 \$1,000. However, if the person filing a claim for the property
18 tax credit is at least 70 years of age and has a household
19 income of less than 250 percent of the federal poverty level,
20 the tentative credit amount is equal to the greater of the
21 following: (1) the amount of the credit as calculated under
22 the schedule of credit amounts specified in Code section
23 425.23(1)(a) as if the claimant was an eligible claimant for
24 a credit under that provision; and (2) the difference between
25 the actual amount of property taxes due on the homestead during
26 the applicable fiscal year minus the actual amount of property
27 taxes due on the homestead based on a full assessment during
28 the first fiscal year for which the claimant filed for a credit
29 calculated under the Code chapter and if the claimant has filed
30 for the credit for each of the subsequent fiscal years after
31 the first credit claimed.

32 The bill modifies the eligibility for the credit under
33 current law available to claimants who have reached the age
34 of 70 with a household income of less than 250 percent of the
35 federal poverty level to include claimants who have reached the

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1 age of 65 regardless of income level.

2 The bill applies to claims under Code chapter 425,

3 subchapter II, filed on or after January 1, 2024.