

House Joint Resolution 2006 - Introduced

HOUSE JOINT RESOLUTION 2006
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 721)

(COMPANION TO SJR 2003 BY
COMMITTEE ON WAYS AND MEANS)

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing amendments to the Constitution of
2 the State of Iowa relating to requirements for certain state
3 tax law changes and requiring a single rate for individual
4 income taxes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 The Constitution of the State of Iowa is amended by adding
4 the following new section to new Article XIII:

5 ARTICLE XIII.

6 TAXATION LIMITATIONS.

7 Section 1. **Two-thirds majority vote for state tax law**
8 **changes.** Passage of a bill that increases the individual income
9 tax rate or the corporate income tax rate, or the rate of
10 any other type of tax based upon income or legal and special
11 reserves, shall require the affirmative votes of at least
12 two-thirds of the members elected to each house of the general
13 assembly. This requirement does not apply to taxes imposed at
14 the option of a local government.

15 Passage of a bill that establishes a new tax on any type of
16 income or legal and special reserves imposed by the state shall
17 require the affirmative votes of at least two-thirds of the
18 members elected to each house of the general assembly.

19 A lawsuit challenging the proper enactment of a bill under
20 this section must be filed no later than one year following the
21 enactment. If such a lawsuit is not filed within the one-year
22 limit, the bill shall be considered properly enacted under this
23 section.

24 Each bill to which this section applies must include a
25 separate provision describing the requirements for enactment
26 prescribed by this section.

27 The general assembly shall enact laws to implement this
28 section.

29 Sec. 2. The following amendment to the Constitution of the
30 State of Iowa is proposed:

31 The Constitution of the State of Iowa is amended by adding
32 the following new section to new Article XIII:

33 ARTICLE XIII.

34 TAXATION LIMITATIONS.

35 Sec. 2. **Single individual income tax rate.** A tax on income

1 or based upon income for individuals shall be imposed at a
2 single rate if imposed, and shall not be imposed at a graduated
3 rate for individuals. There shall not be more than one income
4 tax rate above zero imposed by the state for state purposes on
5 an individual at any one time.

6 Sec. 3. REFERRAL AND PUBLICATION. The foregoing proposed
7 amendments to the Constitution of the State of Iowa are
8 referred to the general assembly to be chosen at the next
9 general election for members of the general assembly, and shall
10 be published as provided by law for three months previous to
11 the date of that election.

12 EXPLANATION

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

15 This joint resolution proposes amendments to the
16 Constitution of the State of Iowa by restricting certain state
17 tax law changes and requiring a single rate for individual
18 income taxes.

19 RESTRICTIONS ON CERTAIN STATE TAX LAW CHANGES. The
20 amendment requires a bill that increases the individual income
21 tax rate or corporate income tax rate, or the rate of any other
22 type of tax based upon income or legal and special reserves,
23 to be adopted by at least two-thirds of the members elected to
24 each house of the general assembly. In addition, the amendment
25 requires a bill that establishes a new tax on any type of
26 income or legal and special reserves imposed by the state to
27 be adopted by at least two-thirds of the members elected to
28 each house of the general assembly. A lawsuit challenging
29 enactment of a bill subject to the two-thirds majority passage
30 requirement must be filed no later than one year following the
31 enactment of the bill. Finally, the amendment requires the
32 general assembly to enact laws to implement the amendment.

33 SINGLE INDIVIDUAL INCOME TAX RATE. Under the amendment, a
34 tax on income or based upon income for individuals shall be
35 imposed at a single rate if imposed, and a graduated rate of

1 taxation on such income is prohibited. The amendment prohibits
2 more than one income tax rate above zero imposed by the state
3 for state purposes on an individual at any one time.

4 REFERRAL. The resolution, if adopted, would be published
5 and then referred to the next general assembly (91st) for
6 adoption, before being submitted to the electorate for
7 ratification.