

**Senate Joint Resolution 14 - Introduced**

SENATE JOINT RESOLUTION 14  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1207)

**SENATE 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 creating a taxpayer relief fund.  
4 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  
9 income tax rate or the corporate income tax rate, or the rate  
10 of any other type of tax based upon income, shall require the  
11 affirmative votes of at least two-thirds of the members elected  
12 to each house of the general assembly. This requirement does  
13 not apply to taxes imposed at the option of a local government.

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

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

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

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

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

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

32 ARTICLE XIII.

33 TAXATION LIMITATIONS.

34 Sec. 2. **Taxpayer relief fund.** A taxpayer relief fund is  
35 created within the treasury for the purposes of reductions to

1 income tax rates or sales and use tax rates, as determined by  
2 the general assembly. Moneys in the fund shall be exclusively  
3 appropriated or transferred by law for these purposes. The  
4 general assembly shall determine the type of, amount of, and  
5 manner in which state moneys are credited to, deposited in, or  
6 transferred to the fund. The general assembly shall provide  
7 by law for the implementation of this section, including by  
8 providing for the administration of the fund.

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

15

EXPLANATION

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

18       This joint resolution proposes amendments to the  
19 Constitution of the State of Iowa by restricting certain state  
20 tax law changes and creating a taxpayer relief fund.

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

35       TAXPAYER RELIEF FUND. Under current law (Code section

1 8.57E), a taxpayer relief fund is created for purposes of  
2 appropriations or transfers made by the general assembly for  
3 tax relief or reductions in income tax rates. The amendment  
4 sets forth a similar provision in the Constitution of the State  
5 of Iowa by creating a taxpayer relief fund for the purposes of  
6 reductions to income tax rates or sales and use tax rates. The  
7 amendment requires the moneys in the taxpayer relief fund to be  
8 exclusively appropriated or transferred by law for the purposes  
9 of reductions to income tax rates or sales and use tax rates.  
10 REFERRAL. The resolution, if adopted, would be published  
11 and then referred to the next general assembly (91st) for  
12 adoption, before being submitted to the electorate for  
13 ratification.