

1 SEC. 3. All unobligated moneys in the Iowa tax commission re-
 2 volving fund, abolished by this Act, are hereby transferred to the
 3 general fund of the state of Iowa.

Approved April 15, 1963.

CHAPTER 268

TAX EXEMPTION OF WELFARE PLANS

H. F. 505

AN ACT relating to property tax exemptions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-seven point one (427.1),
 2 Code 1962, is hereby amended by striking from line one (1) of sub-
 3 section twenty-three (23) of such section the word "Property" and
 4 inserting in lieu thereof the words "All intangible property".

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in full force from and after its passage and publication
 3 in the Burlington Hawk-Eye, a newspaper published at Burlington,
 4 Iowa and The New London Journal, a newspaper published at New
 5 London, Iowa.

Approved April 25, 1963.

I hereby certify that the foregoing Act, House File 505, was published in the Burlington Hawk-Eye, Burlington, Iowa, April 30, 1963, and in The New London Journal, New London, Iowa, May 2, 1963.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 269

TAX EXEMPTION OF PROPERTY IN TRANSIT

S. F. 392

AN ACT to exempt personal property in transit from taxation.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-seven point one (427.1),
 2 Code 1962, is hereby amended by adding thereto the following new
 3 subsection:
 4 "All personal property in transit."

1 SEC. 2. Chapter four hundred twenty-seven (427), Code 1962, is
 2 hereby amended by adding thereto the following new sections:
 3 "1. When used in this chapter, the term 'personal property in tran-

4 sit' means inanimate tangible personal property, goods, wares and
5 merchandise:

6 a. Which is moving in interstate commerce through or over the
7 state of Iowa, or

8 b. Which is consigned to a private warehouse within the state of
9 Iowa from outside the state of Iowa for storage in transit to a final
10 destination outside the state of Iowa, whether the out-of-state ulti-
11 mate destination was specified when transportation begins or after-
12 ward.

13 "2.

14 a. 'Private warehouse', for the purposes of this chapter, shall mean
15 any building, structure, or inclosure used or to be used for storage of
16 inanimate tangible goods, wares or merchandise by and belonging to
17 private person, partnership, joint venture, corporation, fiduciary, trust
18 or estate.

19 b. 'Personal property in transit' is deemed to have acquired no situs
20 in Iowa for purposes of taxation. Such 'personal property in transit'
21 shall not be deprived of exemption because it is, or may be, bound,
22 divided, severed, broken in bulk, labeled or relabeled, packaged or re-
23 packaged while in the warehouse or because the property is being held
24 for reconsignment outside the state of Iowa.

25 "3.

26 a. All personal property claimed to be 'personal property in transit'
27 shall be designated as such upon the books and records of the ware-
28 house where such personal property is located.

29 b. The books and records of the warehouse shall be of such nature
30 as to show a description of the property, the quantity, value and source
31 of each shipment received and a description of the property, the quan-
32 tity, value and destination of all goods taken from the warehouse, with
33 each such receipt or release of such goods dated and described. Such
34 records shall be transmitted to the assessor or assessors of the taxing
35 district or districts in which the warehouse is located for examination
36 and verification and at such time show a recapitulation which must
37 reveal that all shipments (or parts thereof) received are either on
38 hand or disposed of by delivery or destruction and, if by destruction,
39 by what means destroyed or partially destroyed, and if partially de-
40 stroyed, then what disposition was affected. The annual date of such
41 transmittal of such records shall be not later than February first of
42 each year and shall cover the annual accounting period of the ware-
43 house as established on its books and records for all purposes which
44 period has concluded prior to January first of each year. Such other
45 reports as may be required by assessors on a periodic basis may be
46 transmitted in form of a written report or in form of copies of bills of
47 lading countersigned by the consignee or his agent containing the fac-
48 tors first enumerated above, as mutually agreed upon by the assessor,
49 or assessors, and operator of the warehouse.

50 c. The books and records of any warehouse in which 'personal prop-
51 erty in transit' is stored shall be open at all times to the inspection of
52 authorized personnel of the state tax commission and the taxing au-
53 thorities of any political subdivision of the state of Iowa.

54 "4. Any person, firm, co-partnership, association, corporation, joint
55 venture, fiduciary, trust or estate making claim to no situs status of
56 any property under this chapter shall do so in the form and manner

57 prescribed by the state tax commission on or before February first of
58 each personal property assessment year. Such claim shall be filed with
59 the assessor or assessors of the district or districts in which such
60 property is situated. All such claims shall be accompanied by a certi-
61 fication of the warehouse operator as to the status on its books of the
62 property involved, and all such claims shall be allowed in accordance
63 with the decision of the board or boards of review of such taxing dis-
64 trict or districts in which the property is situated.

65 "5. Where the records of the warehouse indicate, or where an audit
66 of such records indicates, as the case may be, that goods handled by
67 or disposed of through such warehouse with a destination within the
68 state of Iowa, the total market value of such goods with such destina-
69 tion shall be taken into account in determination of their actual value
70 in accordance with sections four hundred twenty-eight point seventeen
71 (428.17) and four hundred twenty-eight point twenty-one (428.21) of
72 the Code, and such actual value shall be the basis for determining the
73 assessed valuation of merchandise inventory of the warehouse for the
74 year next following the year for which such total market value is
75 computed.

76 "6. If any owner, shipper, warehouse operator, or the agent or
77 employee of any owner, shipper, or warehouse operator shall misrep-
78 resent, conceal or secrete any personal property as defined herein of
79 which he is possessed either by title or by custody so as to evade or
80 avoid assessment or levy of taxes, then such owner, shipper, or ware-
81 house operator shall be liable to the taxing district in which the per-
82 sonal property is located at the time of such misrepresentation, con-
83 cealment or secreting of such personal property for such assessment
84 or levy of taxes so evaded or avoided plus a penalty of five percent
85 (5%) for each month of such evasion or avoidance up to a maximum
86 of twenty-five percent (25%) plus interest on the amount of such
87 assessment or levy of taxes at the rate of six percent (6%) per annum.

88 "7. If any person wilfully makes or causes to be made any state-
89 ment to the officer charged with assessment or valuation of property
90 for tax purposes in his taxing district containing a false statement of
91 a material fact, be he owner, shipper, storageman, or warehouseman,
92 he shall be guilty of a misdemeanor and upon conviction shall be pun-
93 ished by a fine of not less than one hundred (100) dollars or more than
94 five hundred (500) dollars or by imprisonment in the county jail for
95 not less than thirty (30) days or more than one hundred fifty (150)
96 days."

Approved June 4, 1963.