

CHAPTER 1151
VALUATION OF PROPERTY

H. F. 2190

AN ACT relating to valuation of property by providing for the determination of the amount of the increase of the assessed valuation of agricultural property and residential property as of January 1, 1978 and January 1, 1979 and providing that equalization orders and the percentages of actual value determined by the director of revenue are not rules under the Iowa administrative procedure Act.

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

Section 1. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter forty-three (43), section twenty (20), the second new unnumbered paragraph, amending section four hundred forty-one point twenty-one (441.21), Code 1977, is amended to read as follows:

For valuations established as of January 1, 1979, the percentage of actual value at which agricultural and residential property shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the dividend as determined for each class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus six percent of the amount so determined. However, if the difference between the dividend so determined for either class of property and the dividend for that class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is less than six percent, the 1979 dividend for the other class of property shall be the dividend as determined for that class of property for valuations established as of January 1, 1978, adjusted by

the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus a percentage of the amount so determined which is equal to the percentage by which the dividend as determined for the other class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is increased in arriving at the 1979 dividend for the other class of property. The divisor for each class of property shall be the total actual value of all such property in the state in the preceding year, as reported by the assessors on the abstracts of assessment submitted for 1978, plus the amount of value added to said total actual value by the revaluation of existing properties in 1979. The director shall utilize information reported on abstracts of assessment submitted pursuant to section four hundred forty-one point forty-five (441.45) of the Code in determining such percentage.

Sec. 2. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter forty-three (43), section twenty (20), is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. For valuations established as of January 1, 1978, upon which taxes will be levied for the fiscal year beginning in the 1978 calendar year by any special charter city that levies and collects its own taxes, agricultural and residential property shall be assessed at a percentage of the actual value of each class of property. For residential property, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total value of residential property in the special charter city as of January 1, 1977, adjusted for additions and deletions to said value excluding those resulting from the revaluation of existing properties, as determined by the city assessor in completing reassessment of such property as of January 1, 1978, plus six percent of the 1977 value of such property or the amount of value added by the revaluation of existing properties in 1978, whichever is less. The divisor shall be the total value of such property in the special charter city as determined by the assessor

as of January 1, 1977, plus the amount of value added in 1978 by the revaluation of existing property.

NEW UNNUMBERED PARAGRAPH. For agricultural property, the percentage shall be determined by the director of revenue and shall be based upon all available information. The percentage shall be an estimate of the percentage of actual value at which all agricultural property in the state will be assessed for 1978 as provided by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter forty-three (43), section twenty (20). The director of revenue shall certify the percentage determined pursuant to this paragraph to the governing body of the special charter city on or before May 31, 1978. The appropriate officials of the special charter city shall proceed to determine the assessed values of agricultural property by applying such percentages to the current actual value of such property, as reported by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made by the special charter city.

NEW UNNUMBERED PARAGRAPH. For valuations established as of January 1, 1979, against which taxes will be levied for the fiscal year beginning in the 1979 calendar year by any special charter city that levies and collects its own taxes, the percentage of actual value at which agricultural and residential property shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the valuation for each class of property for valuations established as of January 1, 1978, and upon which any special charter city levied its taxes in 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessor on the abstract of assessment for 1978, plus six percent of the amount so determined. The divisor for each class of property shall be the total actual value of all such property in the city in the preceding year, as reported by the assessor on the abstract of assessment submitted for 1978, plus the amount of value added to said total actual value by the revaluation of existing properties in 1979. However, if the estimated statewide growth in assessed valuation is less than six percent for either class of property for 1979, the director shall

estimate the percentages by which the statewide valuation of residential and agricultural property will increase in 1979. The lower percentage shall be used in lieu of six percent for both classes of property in calculating the percentages at which agricultural and residential property shall be assessed. The percentage at which agricultural and residential property shall be assessed will be certified by the director on or before May 31, 1979 to the appropriate city official in special charter cities that levy and collect their own taxes.

Sec. 3. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter forty-three (43), section twenty (20), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The percentage of actual value computed by the director for agricultural and residential property and used to determine assessed values of those classes of property does not constitute a rule as defined in section seventeen A point two (17A.2), subsection seven (7), of the Code.

Sec. 4. Section four hundred forty-one point forty-nine (441.49), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Tentative and final equalization orders issued by the director of revenue are not rules as defined in section seventeen A point two (17A.2), subsection seven (7), of the Code.

Sec. 5. The provisions of section two (2) of this Act relating to the determination of valuations of agricultural and residential property in a special charter city shall apply only to the determination of valuations of agricultural and residential property against which the corporate levy of the special charter city shall be applied.

Sec. 6. It is the intent of the general assembly that any special charter city which does not conform with regard to the assessment and tax collection schedule to the assessment and tax collection schedule followed by all other political subdivisions of the state shall take such action as is necessary to reform its assessment and tax collection schedule to the assessment and tax collection schedule followed by the other political subdivisions of the state by not later than for assessments beginning January 1, 1980.

Sec. 7. This Act, being deemed of immediate importance, shall take effect and be in force from and after its

publication in The Hamburg Reporter, a newspaper published in Hamburg, Iowa, and in the Bellevue Herald-Leader, a newspaper published in Bellevue, Iowa.

Approved June 5, 1978

I hereby certify that the foregoing Act, House File 2190, was published in The Hamburg Reporter, Hamburg, Iowa on June 15, 1978, and in the Bellevue Herald-Leader, Bellevue, Iowa on June 15, 1978.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1152

SCHOOL DISTRICT SURTAX MONEYS

S. F. 2054

AN ACT relating to the deposit of school district income surtax moneys.

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

Section 1. Section four hundred forty-two point eighteen (442.18), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Effective July 1, 1980, the director of revenue shall deposit all school district income surtax moneys received on or before November first of the year following the close of the school budget year for which the surtax is imposed to the credit of each district from which the moneys are received in the school district income surtax fund. All school district surtax moneys received or refunded after November first of the year following the close of the school budget year for which the surtax is imposed shall be deposited in or withdrawn from the general fund of the state and shall be considered part of the cost of administering the school district surtax.

Sec. 2. The department of revenue shall, not later than January 15, 1980, submit a report to the general assembly specifying the amount of school district income surtax moneys