

CHAPTER 102
HOMESTEAD CREDIT TO LIFE ESTATE

H. F. 756

AN ACT allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation or to individuals who hold an interest in a horizontal property regime under chapter four hundred ninety-nine B (499B) of the Code.

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

Section 1. Section four hundred twenty-five point eleven (425.11), subsection two (2), Code 1979, is amended to read as follows:

2. The word, "owner", shall mean the person who holds the fee simple title to the homestead, and in addition shall mean the person occupying as a surviving spouse or the person occupying under a contract of purchase which contract has been recorded in the office of the county recorder of the county in which the property is located, or the person occupying the homestead under devise or by operation of the inheritance laws where the whole interest passes or where the divided interest is shared only by persons related or formerly related to each other by blood, marriage or adoption, or the person occupying the homestead under a deed which conveys a divided interest where the divided interest is shared only by persons related or formerly related to each other by blood, marriage or adoption or where the person occupying the homestead holds a life estate with the reversion interest held by a nonprofit corporation organized under chapter five hundred four A (504A) of the Code, provided that the holder of the life estate is liable for and pays property tax on the homestead or where the person occupying the homestead holds an interest in a horizontal property regime under chapter four hundred ninety-nine B (499B) of the Code, regardless of whether the underlying land committed to the horizontal property regime is in fee or as a leasehold interest, provided that the holder of the interest in the horizontal property regime is liable for and pays property tax on the homestead. For the purpose of this chapter the word "owner" shall be construed to mean a bona fide owner and not one for the purpose only of availing himself or herself of the benefits of this chapter. In order to qualify for the homestead tax credit, evidence of ownership shall be on file in the office of the clerk of the district court or recorded in the office of the county recorder at the time the owner files with the assessor a verified statement of the homestead claimed by him or her as provided in section 425.2.

Sec. 2. This Act is effective January first following its enactment.

Approved June 4, 1979