

MAR 20 2001
WAYS AND MEANS

HOUSE FILE 664
BY O'BRIEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the definition of homestead for purposes of
2 the additional homestead credit or rent reimbursement for
3 elderly, disabled, and low income, and including an
4 applicability provision.

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

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 664

1 Section 1. Section 425.17, subsection 4, Code 2001, is
2 amended to read as follows:

3 4. "Homestead" means the dwelling owned or rented and
4 actually used as a home by the claimant during the period
5 specified in subsection 2, and so much of the land surrounding
6 it including one or more contiguous lots or tracts of land, as
7 is reasonably necessary for use of the dwelling as a home, and
8 may consist of a part of a multidwelling or multipurpose
9 building and a part of the land upon which it is built. ~~It~~
10 "Homestead" does not include personal property except that a
11 mobile home may be a homestead. "Homestead" includes the unit
12 in a retirement facility or community which the claimant used
13 as a home during the period specified in subsection 2, if the
14 resident is legally obligated to pay property taxes levied on
15 that unit. Any dwelling or a part of a multidwelling or
16 multipurpose building which is exempt from taxation does not
17 qualify as a homestead under this division. However, solely
18 for purposes of claimants living in a property and receiving
19 reimbursement for rent constituting property taxes paid
20 immediately before the property becomes tax exempt, and
21 continuing to live in it after it becomes tax exempt, the
22 property shall continue to be classified as a homestead. A
23 homestead must be located in this state. When a person is
24 confined in a nursing home, extended-care facility, or
25 hospital, the person shall be considered as occupying or
26 living in the person's homestead if the person is the owner of
27 the homestead and the person maintains the homestead and does
28 not lease, rent, or otherwise receive profits from other
29 persons for the use of the homestead.

30 Sec. 2. APPLICABILITY DATE. This Act applies to claims
31 for additional homestead credit filed on or after January 1,
32 2002.

33 EXPLANATION

34 This bill expands the definition of "homestead" for
35 purposes of the additional homestead credit or rent

1 reimbursement for elderly, disable, and low-income persons to
2 include a unit of a retirement facility or community if the
3 claimant occupied the unit during the previous fiscal year and
4 is legally obligated to pay property taxes levied on that
5 unit.

6 The bill applies to claims filed on or after January 1,
7 2002.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35