

MAR 16 2005  
WAYS & MEANS CALENDAR

HOUSE FILE 801  
BY COMMITTEE ON WAYS  
AND MEANS

(SUCCESSOR TO HSB 207)

Passed House, Date 4-21-05 Passed Senate, Date 4-29-05  
Vote: Ayes 93 Nays 5 Vote: Ayes 46 Nays 0  
Approved 5/12/05

**A BILL FOR**

1 An Act providing a deduction in computing the individual income  
2 tax for certain unreimbursed expenses relating to a human  
3 organ transplant and including a retroactive applicability  
4 date.

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

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HF 801

TLSB 2427HV 81

mg/pj/5

1 Section 1. Section 422.7, Code 2005, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 44. a. If the taxpayer, while living,  
4 donates one or more of the taxpayer's human organs to another  
5 human being for immediate human organ transplantation during  
6 the tax year, subtract, to the extent not otherwise excluded,  
7 the following unreimbursed expenses incurred by the taxpayer  
8 and related to the taxpayer's organ donation:

- 9 (1) Travel expenses.  
10 (2) Lodging expenses.  
11 (3) Lost wages.

12 b. The maximum amount that may be deducted under paragraph  
13 "a" is ten thousand dollars. A taxpayer shall only take the  
14 deduction under this subsection once. If a deduction is taken  
15 under this subsection, the amount of expenses shall not be  
16 considered medical care expenses under section 213 of the  
17 Internal Revenue Code for state tax purposes.

18 c. For purposes of this subsection, "human organ" means  
19 all or part of a liver, pancreas, kidney, intestine, lung, or  
20 bone marrow.

21 Sec. 2. RETROACTIVE APPLICABILITY DATE. This Act applies  
22 retroactively to January 1, 2005, for tax years beginning on  
23 or after that date.

24 EXPLANATION

25 This bill allows a deduction in computing individual income  
26 tax of up to \$10,000 for unreimbursed expenses incurred by a  
27 taxpayer in donating, while alive, all or part of the  
28 taxpayer's liver, pancreas, kidney, intestine, lung, or bone  
29 marrow. The organ donation must be for immediate use in an  
30 organ transplant operation.

31 The bill applies retroactively to January 1, 2005, for tax  
32 years beginning on or after that date.

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*Upmeyer-dh  
Tomenga  
Schweller*

Succ<sup>eded By</sup>  
SF 0801-

HSB 207

WAYS AND MEANS

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON VAN FOSSEN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

### A BILL FOR

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HOUSE FILE 801

AN ACT

PROVIDING A DEDUCTION IN COMPUTING THE INDIVIDUAL INCOME TAX FOR CERTAIN UNREIMBURSED EXPENSES RELATING TO A HUMAN ORGAN TRANSPLANT AND INCLUDING A RETROACTIVE APPLICABILITY DATE.

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

Section 1. Section 422.7, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 44. a. If the taxpayer, while living, donates one or more of the taxpayer's human organs to another human being for immediate human organ transplantation during the tax year, subtract, to the extent not otherwise excluded, the following unreimbursed expenses incurred by the taxpayer and related to the taxpayer's organ donation:

- (1) Travel expenses.
- (2) Lodging expenses.
- (3) Lost wages.

b. The maximum amount that may be deducted under paragraph "a" is ten thousand dollars. A taxpayer shall only take the deduction under this subsection once. If a deduction is taken under this subsection, the amount of expenses shall not be considered medical care expenses under section 213 of the Internal Revenue Code for state tax purposes.

c. For purposes of this subsection, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow.

Sec. 2. RETROACTIVE APPLICABILITY DATE. This Act applies retroactively to January 1, 2005, for tax years beginning on or after that date.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 801, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 5/12, 2005

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THOMAS J. VILSACK  
Governor