

CHAPTER 2 - LOCAL OPTION SALES TAX

SECTION 1

INCORPORATED AREAS OF MALVERN, EMERSON, TABOR AND HENDERSON, IOWA

2.1.1 Local Option Sales and Services Tax

There is imposed a local option sales and services tax applicable to transactions within the incorporated areas of Malvern, Emerson, Tabor and Henderson, Iowa. The rate of the tax shall be one percent upon the gross receipts taxed under Iowa Code Chapter 423, Subchapter II, as amended, in the following cities: Malvern, Emerson, Tabor, and Henderson, Iowa.

The local sales and services tax is based on transactions occurring on or after January 1, 1996, within the incorporated areas of Malvern, Emerson, Tabor, and Henderson. The tax shall be collected by all persons required to collect state gross receipts taxes. However, the tax shall not be based on the gross receipts from the sale of motor fuel or special fuel as defined in Iowa Code Chapter 452A, as amended, on the gross receipts from the rental of rooms, apartments, or sleeping quarters which are taxed under Iowa Code Chapter 423A, as amended, during the period the hotel and motel tax is imposed, on the gross receipts from the sale of natural gas or electric energy in a city or county where the gross receipts are subject to a franchise fee or user fee during the period the franchise or user fee is based, on the gross receipts from the sale of a lottery ticket or share in a lottery game conducted pursuant to Iowa Code Chapter 99G, as amended, and on the sale or rental of tangible personal property described in Iowa Code Section 423.3, as amended.

All applicable provisions of the appropriate sections of Iowa Code Chapter 423, Subchapter II, as amended, and Iowa Code Chapter 423B, as amended, are adopted by reference.

SECTION 2
INCORPORATED AREAS OF GLENWOOD AND PACIFIC AND WITHIN THE
UNINCOPORATED PORTION OF MILLS COUNTY, IOWA

2.2.1 Local Option Sales and Services Tax

There is imposed a local option sales and services tax, applicable to transactions occurring on or after January 1, 2002, within the incorporated areas of Glenwood and Pacific Junction and within the unincorporated portion of Mills County, Iowa. The rate of the tax shall be one percent on sales price taxed by the state under Iowa Code Chapter 423, Subchapter II, as amended.

The tax shall be collected by all persons required to collect state sales taxes and shall be imposed on the same basis as the state sales and services tax or in case of the use of natural gas, natural gas service, electricity, or electric service on the same basis as the state use tax and shall not be imposed on the sales price from the sale of motor fuel or special fuel as defined in Iowa Code Chapter 452A, as amended, which is consumed for highway use or in watercraft or aircraft if the fuel tax is paid on the transaction and a refund has not or will not be allowed, on the sales price from the rental of rooms, apartments, or sleeping quarters which are taxed under Iowa Code Chapter 423A, as amended, during the period the hotel and motel tax is imposed, on the sales price from the sale of equipment by the state department of transportation, on the sales price from the sale of self-propelled building equipment, pile drivers, motorized scaffolding, or attachments customarily drawn or attached to self-propelled building equipment, pile drivers, and motorized scaffolding, including auxiliary attachments which improve the performance, safety, operation, or efficiency of the equipment and replacement parts and are directly and primarily used by contractors, subcontractors, and builders for new construction, reconstruction, alterations, expansion or remodeling of real property or structures, and on the sales price from the sale of a lottery ticket or share in a lottery game conducted pursuant to Iowa Code Chapter 99G, as amended, and except the tax shall not be imposed on the sales price from the sale or use of natural gas, natural gas service, electricity, or electric service in a city or county where the sales price from the sale of natural gas or electric energy are subject to a franchise fee or user fee during the period the franchise or user fee is imposed.

All applicable provisions of the appropriate sections of Iowa Code Chapter 423, Subchapter II, as amended, and Iowa Code Chapter 423B, as amended, are adopted by reference.

SECTION 3
SCHOOL LOCAL OPTION SALES AND SERVICE TAX

2.3.1 School Local Option Sales and Service Tax

There is imposed a School Local Option Sales and Service Tax applicable to transactions within Mills County. The rate of the tax shall be one (1) percent upon the gross receipts taxed under Iowa Code Chapter 423, Subchapter II, as amended.

The School Local Sales and Services Tax is imposed on transactions occurring on or after January 1, 2004, in Mills County. The tax shall be collected by all persons required to collect state gross receipts taxes. However, the tax shall not be based on the gross receipts from the sale of motor fuel or special fuel as defined in Iowa Code Chapter 452A, as amended, on the gross receipts from the rental of rooms, apartments, or sleeping quarters which are taxed under Iowa Code Chapter 423A, as amended, during the period the hotel and motel tax is imposed, on the gross receipts from the sale of a lottery ticket or share in a lottery game conducted pursuant to Iowa Code Chapter 99G, as amended, and on the sale or rental of tangible personal property described in Iowa Code Section 423.3 as amended.

All applicable provisions of the appropriate sections of Iowa Code Chapter 423, Subchapter II, as amended, and Iowa Code Chapter 423B, as amended, are adopted by reference.