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State of Iowa
1936

Instructions

**TO EMPLOYERS RELATIVE TO THE COLLECTION
OF THE IOWA OLD AGE ASSISTANCE TAX FROM
EMPLOYEES AND REMITTING THE SAME TO THE
TREASURER OF STATE**

The 1936 tax of \$2.00 per person became due January 1, 1936, and will become delinquent July 1, 1936. A penalty of 1 per cent for each month or fractional month of delinquency attaches at the latter date.

An early remittance will facilitate the work of the state treasurer's office in getting out the individual receipts.

A copy of the old age assistance act will be mailed on request.

Copies of the attorney general's and departmental rulings will be sent on request.

Forms for the remitting of the tax to the treasurer of state will be furnished by the old age assistance commission on request.

Published by the
OLD AGE ASSISTANCE COMMISSION
State House
Des Moines

TO ALL EMPLOYERS OF UNITED STATES CITIZENS RESIDING IN THE STATE OF IOWA

(Including Governmental and School Officials)

We call your attention to the Iowa Old Age Assistance Act, Chapter 19, Acts of the Forty-fifth General Assembly in extraordinary session, as amended by the Forty-sixth General Assembly.

Section 34 provides in part as follows:

“ * * there is hereby levied on all persons residing in this state and who are citizens of the United States and of twenty-one (21) years of age and upwards, except inmates of state and county institutions, an annual tax of two dollars (\$2.00).*

“ * * the said annual tax levied by the provisions of this section and act shall be collected in 1935, and each year thereafter, by the county treasurer as of January first, with delinquency date of July first, after which latter date a penalty of one per centum for each month or fractional month of delinquency, * * *.*

“ * * Any person, firm, association or corporation, including municipal corporations and special charter cities, having in their employ continuously for a period of thirty days or more any resident of this state and who is a citizen of the United States, and to whom this act applies and who has not paid the tax provided for in this section, shall deduct said tax from the earnings of such employee and deliver to such employee a receipt for said collection and remit same to the treasurer of state, together with a report showing the amount and name of the person from whom collected; and the treasurer of state shall credit said tax as other taxes provided for in this section and act, and report to the county treasurer of the county from which such remittance was received, giving the name of the employee and the amount of such tax collected; and when said report has been received by the county treasurer, he shall credit such person on his books with said payment. Any employer failing to collect and so report said tax shall be liable therefor. * * *”*

Section 35 of the Act provided a per capita tax levy of \$1.00 for 1934 as an emergency revenue plan for the paying of old age assistance from November 1, 1934, to July 1, 1935. The collection of this tax was by the same method as is set up for the collection of the 1935 tax of \$2.00. If you are an employer who failed to comply with the provisions for the 1934 levy of \$1.00, or the 1935 levy of \$2.00, use the procedure outlined herein for the 1936 levy of \$2.00 and add penalty from July 1, 1935, on both the 1934 and 1935 levies.

Though it is not the responsibility of the employer to collect from or for the members of the employee's family, whenever that procedure is desired by the employee and is convenient to the employer the remittance will be accepted by the treasurer of state. (This information is added because of the many requests for such method of payment.)

FORM OF REMITTANCE TO THE TREASURER OF STATE

When remitting to the Treasurer of State, you need not, necessarily, use the state form but may write an ordinary business letter and attach a sheet itemizing the collections made by the employer as shown in the following example:

JONES PRINTING COMPANY

FORT MADISON, LEE COUNTY

January 1, 1936

(Employee's permanent home address is where he votes)

Employee's Name (If a woman, use given name as "Mary")	Age	Street Address (if Urban Resident) Township (if Rural or Small Town Resident)	City or Post Office	County
John Doe*	36	413 Grand Ave.	Des Moines	Polk
Mary Roe	40	227 2nd	Ft. Madison	Lee
Helen Hicks	21	Swan Lake Twp.	Laurens	Pocahontas

*In this example John Doe is an itinerate worker whose legal residence, domicile or voting place is in Polk County.

FORM OF REMITTANCE BY SCHOOL OFFICIALS AND OTHER GOVERNMENTAL AGENCIES

WINTERSSET INDEPENDENT SCHOOL DISTRICT

Clyde E. Harlow, Secretary

WINTERSSET, MADISON COUNTY

January 1, 1936

John M. Jones	45	Center Twp.	Winterset	Madison
Nellie Smith*	37	Wyoming Twp.	Wyoming	Jones
Hazel Gray*	32	1131 Pleasant	Davenport	Scott

*In this example the school teachers reside in Winterset during the school year. Their legal residence is elsewhere. Where they vote determines their legal residence.

EMPLOYER'S RECEIPT TO EMPLOYEE

Most business firms have their own general receipt forms. When deducting the Old Age Assistance Tax from the pay of an employee, issue him such receipt. The State receipt for the total remittance will be mailed to the employer, together with individual taxpayers' receipts for distribution to the employees.

IF IN DOUBT, ADDRESS INQUIRY TO TAX DIVISION,
OLD AGE ASSISTANCE COMMISSION, STATE HOUSE,
DES MOINES.

COMPLETE TEXT OF SECTIONS 34 AND 35 OF THE OLD AGE ASSISTANCE ACT:

"Sec. 34. **Pension fund created.** There is hereby created a fund to be known as the old age pension fund to be administered by the commission, the proceeds of which shall be used to pay the expenditures incurred under this act. To provide money for said fund, there is hereby levied on all persons residing in this state and who are citizens of the United States and of twenty-one years of age and upwards, except inmates of state and county institutions, an annual tax of two dollars. From the list certified to the county treasurer under the provisions of section 36 of this act it shall be the duty of such county treasurer to place the names of all persons subject to said tax on a tax list as specified by the auditor of state, and the said annual tax levied by the provisions of this section and act shall be collected in 1935, and each year thereafter, by the county treasurer as of January first, with delinquency date of July first, after which latter date a penalty of one per centum for each month or fractional month of delinquency, and the county treasurer shall make remittance thereof to the treasurer of state who shall credit same to the old age pension fund.

"In any subsequent year to that in which any tax is due and payable, the county treasurer shall charge any unpaid tax and/or penalty against the property owned by the person by whom said tax is payable; or said county treasurer, when such delinquent person is not the owner of real estate, shall cause to be served a notice, which shall be served in the same manner as an original notice, upon the delinquent taxpayer's spouse or employer, if either, of the amount of the tax and penalties due and costs of collection and said spouse or employer shall pay the same, and thereupon the employer may subsequently withhold the amount thus paid in tax, penalty and cost of collection from any wages or salary then or in the future due said employee but costs of collection shall not be chargeable unless the tax and penalties are collected.

"Any person, firm, association or corporation, including municipal corporations and special charter cities, having in their employ continuously for a period of thirty days or more any resident of this state and who is a citizen of the United States, and to whom this act applies and who has not paid the tax provided for in this section, shall deduct said tax from the earnings of such employee and deliver to such employee a receipt for said collection and remit same to the treasurer of state, together with a report showing the amount and name of the person from whom collected; and the treasurer of state shall credit said tax as other taxes provided for in this section and act, and report to the county treasurer of the county from which such remittance was received, giving the name of the employee and the amount of such tax collected, and when said report has been received by the county treasurer, he shall credit such person on his books with said payment. Any employer failing to collect and so report said tax shall be liable therefor. As a condition for obtaining assistance under this act and from this fund, satisfactory proof shall be furnished to the board or commission that the applicant for said aid has paid all taxes due to said fund. Any one who becomes in arrears more than three years on this tax for any year shall forfeit all claim to old age pensions provided for herein.

"The officer of each department, division, or bureau of the state government, including state educational institutions, whose duty it is to make out a payroll and to certify the same, shall be liable, personally and under his bond, for the failure of any state employee, under his jurisdiction, to pay the per capita tax levied under the provisions of this section. Such officer is hereby authorized to act in the same manner in withholding the tax from the salary or wages of a state employee as is granted a private employer and a municipal employer under the provisions of this section and act.

"The penalties accruing under the provisions of this section shall accompany the tax and be credited to the old age pension fund.

"All taxes collected under the provisions of this section and act shall be deposited to the credit of the old age pension fund, and shall be kept separate from the general fund of the state. On receipt of written order from the commission, the state comptroller shall draw warrants and/or warrant checks against the old age pension fund for any and all old age assistance payments and other expenditures provided for in this act.

"Sec. 34-a. **Refund of tax.** Whenever any tax, as provided for in the preceding section, has been erroneously paid or has been paid or collected more than once for the same year, the taxpayer by whom the tax was erroneously paid shall have the amount of said tax or duplicated tax refunded to him upon application to the county treasurer and the submission of satisfactory proof that the tax has been erroneously paid or paid more than once for any year. Such refund shall be from any old age pension funds then in the hands of such county treasurer."

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