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## Executive Council of Iowa

CAPITOL BUILDING  
DES MOINES, IOWA 50319  
PHONE: 515 281-5368  
FAX: 515 281-7562

June 5, 2023

Ms. Alana Stamas  
Chief Legal Officer  
Iowa Department of Revenue  
Hoover Bldg.  
L O C A L

RE: Litigation Expense Fund

Dear Ms. Stamas:

The Executive Council, in a meeting held on this date, approved your request to transfer \$100,000 for FYE 2024 to pay anticipated litigation expenses for the forthcoming fiscal year.

EXECUTIVE COUNCIL OF IOWA

*Victoria Newton*

Victoria Newton  
Executive Secretary

cc: Sam Langholz, Chief Deputy Attorney General, Attorney General's Office

May 30, 2023

Executive Council of Iowa  
State Capitol  
LOCAL  
ExecutiveCouncil@tos.iowa.gov

RE: Executive Council Approval for Litigation Expense Fund

Dear Executive Council:

Iowa Code section 441.73 requires the Executive Council by the beginning of the fiscal year to transfer, from the funds established in Iowa Code sections 425.1 and 426.1, an amount necessary to pay anticipated litigation expenses for the forthcoming fiscal year. The Department of Revenue requests the transfer of \$100,000 for FYE 2024 on the following pro-rata basis:

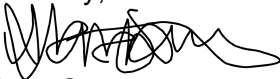
Section 425.1 (homestead tax credit)	\$79,000	(79%)
Section 426.1 (agricultural land credit)	\$21,000	(21%)

This request is based upon estimates as to the potential litigation costs involving experts, outside counsel, and the Attorney General's Office. The Department currently has six pending appeals. Of these six related appeals, four are being actively litigated and expected to proceed to hearing in FYE2024. As a result, the Department anticipates significant expenses in FYE2024 because the Department will be working with its experts, conducting and completing fact and expert discovery, preparing for the hearing, and ultimately conducting the hearing for these four matters during FYE2024. The Department also anticipates that at least two more appeals will be filed in FYE2024.

It is anticipated that the litigation fund will have a carryover of approximately \$486,239.61 of unused funds from FY2024. Therefore, with the Department's request that \$100,000 be transferred to the litigation fund, the total amount authorized for FYE2024 will be approximately \$586,239.61. Total expenses for FYE2024 are not expected to exceed this amount.

Based on the above, the Department of Revenue requests that this matter be put on the agenda for Executive Council approval.

Sincerely,



Alana Stamas  
Chief Legal Officer  
Legal Services and Appeals

cc: Samuel P. Langholz