

**CHAPTER 1136****ENTERPRISE ZONES — APPLICATION DEADLINE EXTENSION***H.F. 2370*

**AN ACT** relating to enterprise zones by extending the application deadline for certification of enterprise zones and by updating certain fiscal year limitations.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 15E.192, subsection 3, Code 2009, is amended to read as follows:

3. A city may create an economic development enterprise zone as authorized in this division, subject to certification by the department of economic development, by designating up to four square miles of the city for that purpose. In order for an enterprise zone to be certified pursuant to this subsection, an enterprise zone shall meet the distress criteria provided in section 15E.194, subsection 3. Section 15E.194, subsection 2, shall not apply to an enterprise zone certified pursuant to this subsection. ~~For the fiscal period beginning July 1, 2007, and ending June 30, 2010, each fiscal year a cumulative total of not more than twenty-five million dollars worth of incentives and assistance under section 15E.196, subsections 1, 2, 3, 4, and 6, shall be awarded to eligible businesses that apply to an enterprise zone commission for incentives and assistance during that fiscal year and that are located in an enterprise zone certified pursuant to this subsection.~~ For purposes of this subsection and section 15E.194, subsection 3, “city” means a city that includes at least three census tracts, as determined in the most recent federal census.

Sec. 2. Section 15E.192, subsection 4, paragraph b, Code 2009, is amended to read as follows:

b. A county or city may apply to the department for an area to be certified as an enterprise zone at any time prior to July 1, ~~2010~~ 2012. However, the total amount of land designated as enterprise zones under subsection 1, and any other enterprise zones certified by the department, excluding those approved pursuant to subsection 2 and section 15E.194, subsections 3 and 5, shall not exceed in the aggregate one percent of the total county area.

Sec. 3. Section 15E.194, subsection 5, paragraph a, Code 2009, is amended to read as follows:

a. A city of any size or any county may designate an enterprise zone at any time prior to July 1, ~~2010~~ 2012, when a business closure or permanent layoff occurs. The business closure or permanent layoff must involve the loss of full-time employees, not including retail employees, at one place of business totaling at least one thousand employees or four percent or more of the county’s resident labor force based on the most recent annual resident labor force statistics from the department of workforce development, whichever is lower. A permanent layoff does not include a layoff of seasonal employees or a layoff that is seasonal in nature. For purposes of this paragraph, “*permanent layoff*” means the loss of jobs to an out-of-state location, the cessation of one or more production lines, the removal of manufacturing machinery and equipment, or similar actions determined to be equivalent in nature by the department. A permanent layoff must occur on or after February 1, 2007. The enterprise zone may be established on the property of the place of business that has closed or imposed a permanent layoff and the enterprise zone may include an area up to an additional three miles adjacent to the property. The area meeting the requirements for enterprise zone eligibility under this subsection shall not be included for the purpose of determining the area limitation pursuant to section 15E.192, subsection 4. The closing business or business creating a permanent layoff shall not be eligible to receive incentives or assistance under this division. An eligible housing business under section 15E.193B shall not receive incentives or assistance for a home or multiple dwelling unit built or rehabilitated in an enterprise zone designated pursuant to this subsection.