

## ECONOMIC DEVELOPMENT AUTHORITY[261]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 15.106A and 2012 Iowa Acts, Senate File 2212, the Economic Development Authority gives Notice of Intended Action to amend Chapter 71, “Targeted Jobs Withholding Tax Credit Program,” Iowa Administrative Code.

The rules in Chapter 71 describe the Economic Development Authority’s administration of the Targeted Jobs Withholding Tax Credit Program. These amendments update the definition of business, thus changing the types of businesses that are eligible for the program, and also update references from the Iowa Department of Economic Development to the Economic Development Authority.

The Economic Development Authority Board approved these amendments at a Board meeting on September 21, 2012.

Public comments concerning the amendments will be accepted until 4:30 p.m. on December 4, 2012. Interested persons may submit written comments to Kristin Hanks, Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309; telephone (515)725-0440; e-mail [kristin.hanks@iowa.gov](mailto:kristin.hanks@iowa.gov).

These amendments do not have any fiscal impact to the state of Iowa.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 403.19A as amended by 2012 Iowa Acts, Senate File 2212.

The following amendments are proposed.

ITEM 1. Adopt the following **new** definition of “Authority” in rule **261—71.1(403)**:

“*Authority*” means the economic development authority created in 2011 Iowa Code Supplement section 15.105.

ITEM 2. Amend rule **261—71.1(403)**, definitions of “Board,” “Business,” “Countywide average wage” and “Targeted job,” as follows:

“*Board*” means ~~the Iowa~~ members of the economic development board created in Iowa Code section 15.103 authority appointed by the governor and in whom the powers of the authority are vested pursuant to 2011 Iowa Code Supplement section 15.105.

“*Business*” means ~~any~~ an enterprise that is located in this state and that is operated for profit and under a single management. “Business” includes professional services or industrial enterprise, including and industrial enterprises, including but not limited to medical treatment facilities, manufacturing facilities, corporate headquarters, and research facilities. “Business” does not include a retail operation, a government entity, or a business which closes or substantially reduces its operation in one area of this state and relocates substantially the same operation to another area of this state.

“*Countywide average wage*” means the average that the ~~department~~ authority calculates using the most current four quarters of wage and employment information as provided in the quarterly covered wage and employment data report as provided by the department of workforce development. Agricultural/mining and governmental employment categories are deleted in compiling the wage information.

“*Targeted job*” means a job in a business which is or will be located in an urban renewal area of a pilot project city that pays a wage at least equal to the countywide average wage. “Targeted job” includes new or retained jobs from Iowa business expansions or retentions within the city limits of the

pilot project city and those jobs resulting from established out-of-state businesses, as defined by the ~~department~~ authority, that are moving to or expanding in Iowa.

ITEM 3. Rescind the definition of “Department” in rule **261—71.1(403)**.

ITEM 4. Strike “department” wherever it appears in rules **261—71.2(403)** to **261—71.6(403)**, except in the phrases “department of management” and “department of revenue,” and insert “authority” in lieu thereof.

ITEM 5. Amend **261—Chapter 71**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 403.19A as amended by 2012 Iowa Acts, Senate File 2212.