

**HOMELAND SECURITY AND EMERGENCY MANAGEMENT
DEPARTMENT[605]**

Adopted and Filed

Rule making related to flood project fund expenditures

The Department of Homeland Security and Emergency Management hereby amends Chapter 14, “Flood Mitigation Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 418.7.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 418.13.

Purpose and Summary

This rule making implements 2018 Iowa Acts, chapter 1124, by amending Chapter 14. This amendment adds reimbursement of the governmental entity for costs of the approved project incurred after the project’s approval to the list of authorized expenditures for the governmental entity’s flood project fund.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on February 27, 2019, as **ARC 4314C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on April 3, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on May 29, 2019.

The following rule-making action is adopted:

Amend subrule 14.8(1) as follows:

14.8(1) Each governmental entity that has a project approved by the board and is awarded funds from either the flood mitigation fund or sales tax increment fund shall create a separate flood project fund. The fund shall be used to pay the costs associated with the governmental entity's approved project, to reimburse the governmental entity for the costs of the approved project incurred after the project's approval, and to pay the principal and interest on bonds issued pursuant to Iowa Code section 418.14.

[Filed 4/3/19, effective 5/29/19]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/24/19.