

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Proposing rule making related to rescinding the sunset date for the targeted jobs withholding tax credit program and providing an opportunity for public comment

The Economic Development Authority hereby proposes to amend Chapter 71, “Targeted Jobs Withholding Tax Credit Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 15.106A.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 403.19A.

Purpose and Summary

This rule making proposes to amend 261—Chapter 71 by rescinding paragraph 71.4(2)“e,” which contains the sunset date for the Targeted Jobs Withholding Tax Credit Program. This sunset date is also found in Iowa Code section 403.19A(3)“c”(2) as amended by 2019 Iowa Acts, House File 779, section 45. Because the sunset date has been amended legislatively and may be extended again in the future, rescinding this paragraph will prevent confusion and conflict between the Iowa Code and these rules.

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 Authority for a waiver of the discretionary provisions, if any, pursuant to 261—Chapter 199.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on November 26, 2019. Comments should be directed to:

Jennifer Klein
Economic Development Authority
200 East Grand Avenue
Des Moines, Iowa 50309
Phone: 515.348.6144
Email: jennifer.klein@iowaeda.com

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

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).

The following rule-making action is proposed:

Amend subrule 71.4(2) as follows:

71.4(2) *Entering into a withholding agreement.*

a. to d. No change.

~~*e.*—*Sunset date.* A pilot project city and the authority shall not enter into a withholding agreement with a business after June 30, 2019.~~

f. e. *Board approval of withholding agreements.* Prior to entering into a withholding agreement with a business, a pilot project city shall request board approval of the withholding agreement. The process for requesting approval from the board is described in subrule 71.5(1).