Regulatory Analysis

Notice of Intended Action to be published: 261—Chapters 31, 43, 44, 75, 117, 165, 171, 212, 213, 214, 400, and 401
"Rescission of Chapters"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 15E.231 through 15E.233; 2011 Iowa Acts, House File 590, section 20; 2014 Iowa Acts, Senate File 2359; 15E.364; 15.106A(1)"m"; 159A, subchapter III; 15A; 15.439; 15F, subchapter III; 12.72; 17A.9A; 15F.101; 15F.103 through 15F.107; and 2011 Iowa Acts, House File 590, division III

State or federal law(s) implemented by the rulemaking: Iowa Code sections 15E.231 through 15E.233; 2011 Iowa Acts, House File 590, section 20; 2014 Iowa Acts, Senate File 2359; Iowa Code section 15E.364; section 28H.1; chapter 159A, subchapter III; section 15.106A(1)"m"; chapter 15A; section 15.439; chapter 15F, subchapter III; section 12.72; section 17A.9A; section 15F.101; sections 15F.103 through 15F.107; and 2011 Iowa Acts, House File 590, division III

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

August 12, 2025	1963 Bell Avenue
9 to 9:15 a.m.	Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Finance Authority (Authority) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Tyler Barnard
Iowa Finance Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315
Email: tyler.barnard@iowafinance.com

Purpose and Summary

Pursuant to Executive Order 10, the Authority proposes to permanently rescind the following obsolete and unnecessary chapters:

- Chapter 31, which describes economic development region initiatives. The initiatives have been discontinued. No funds are currently available for this purpose. Additionally, the chapter implements Iowa Code sections 15E.231 through 15E.233, which are repealed by 2025 Iowa Acts, Senate File 657, effective December 31, 2025.
- Chapter 43, which describes the Hoover Presidential Library tax credit. The tax credit is available to taxpayers who make an unconditional charitable donation to the Hoover Presidential Foundation for the Hoover Presidential Library and Museum Renovation Project Fund. The tax credit may not be claimed after tax years beginning on and after January 1, 2024, and therefore, the Authority's rules relating to the qualification and application process for tax credits are no longer needed. Tax credits are claimed pursuant to rules adopted by the Department of Revenue.
- Chapter 44, which provides grant funds to councils of governments organized pursuant to Iowa Code chapter 28H for the provision of technical assistance to political subdivisions in their service

delivery areas. Funds are regularly appropriated to the Authority for this purpose, but such appropriations do not require the Authority to have rules regarding the provision of funds.

- Chapter 75, which describes the Opportunities and Threats Program. The chapter implements Iowa Code chapter 15G, subchapter I. The subchapter was repealed in 2012.
- Chapter 117, which describes the State Small Business Credit Initiative (SSBCI) Demonstration Fund. The fund utilized a 2011 allocation from the SSBCI. A 2022 allocation from the SSBCI is addressed in 261—Chapter 112.
- Chapter 165, which describes rules applicable to allocation of the Grow Iowa Values Fund. The fund was repealed in 2012 by 2011 Iowa Acts, House File 648.
- Chapter 171, which implements requirements to give additional consideration or additional points in Iowa Code sections 15.439(3), 15A.1(5), and 15A.4. Such additional consideration or points are required if a project is within a brownfield site, blighted area, or distressed area; subject to a good neighbor agreement; or identified in an Iowa Great Places agreement. Iowa Code section 15.439 was repealed by 2025 Iowa Acts, House File 975. The requirements in Iowa Code chapter 15A do not require rules.
- Chapter 212, which describes the procedures and administration of the Vision Iowa Program. Rules are no longer necessary for the program because all program contracts are closed and no funding is available.
- Chapter 213, which describes the waiver process for rules issued by the Enhance Iowa Board. The Enhance Iowa Board was eliminated with the repeal of Iowa Code section 15F.102 by 2024 Iowa Acts, Senate File 2385, section 368.
- Chapter 214, which describes the composition, officers, and duties of the Enhance Iowa Board. The Enhance Iowa Board was eliminated with the repeal of Iowa Code section 15F.102 by 2024 Iowa Acts, Senate File 2385, section 368.
- Chapter 400, which describes rules related to the Iowa Power Fund. The chapter was enacted to allow the Authority to administer and wind down contracts entered into under the power fund legislation (Iowa Code chapter 469) before its repeal via 2011 Iowa Acts, House File 590. Chapter 400 is therefore obsolete and unnecessary.
- Chapter 401, which describes rules for the administration of the Iowa Power Fund. The power fund legislation (Iowa Code chapter 469) was repealed via 2011 Iowa Acts, House File 590. Chapter 500 is therefore obsolete and unnecessary.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The rescission of Chapters 31, 43, 44, 75, 117, 165, 171, 212, 213, 214, 400, and 401 does not impose any costs.

- **Classes of persons that will benefit from the proposed rulemaking:**

Rescinding chapters for programs and activities that have been discontinued or repealed will provide clarity about the responsibilities of the Authority. Rescinding chapters where there is no statutory requirement for the Authority to promulgate rules will reduce unnecessary rules and streamline the Authority's ongoing rule review.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The rescission of Chapters 31, 43, 44, 75, 117, 165, 171, 212, 213, 214, 400, and 401 does not impose any costs.

- **Qualitative description of impact:**

Rescinding chapters for programs and activities that have been discontinued will provide clarity about the responsibilities of the Authority. Rescinding chapters where there is no statutory

requirement for the Authority to promulgate rules will reduce unnecessary rules and streamline the Authority's ongoing rule review.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no implementation and enforcement costs.

- **Anticipated effect on State revenues:**

The rescission of chapters has no fiscal impact.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The rescission of Chapters 31, 43, 44, 75, 117, 165, 171, 212, 213, 214, 400, and 401 does not impose any costs. Rescinding chapters for programs and activities that have been discontinued will provide clarity about the responsibilities of the Authority. Rescinding chapters where there is no statutory requirement for the Authority to promulgate rules will reduce unnecessary rules and streamline the Authority's ongoing rule review.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Authority has not identified any less costly methods or less intrusive methods.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Authority did not consider any alternative methods.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The Authority did not consider any alternative methods.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The rescission of these chapters does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **261—Chapter 31**.

ITEM 2. Rescind and reserve **261—Chapter 43**.

ITEM 3. Rescind and reserve **261—Chapter 44**.

ITEM 4. Rescind and reserve **261—Chapter 75**.

ITEM 5. Rescind and reserve **261—Chapter 117**.

ITEM 6. Rescind and reserve **261—Chapter 165**.

ITEM 7. Rescind and reserve **261—Chapter 171**.

ITEM 8. Rescind and reserve **261—Chapter 212**.

ITEM 9. Rescind and reserve **261—Chapter 213**.

ITEM 10. Rescind and reserve **261—Chapter 214**.

ITEM 11. Rescind and reserve **261—Chapter 400**.

ITEM 12. Rescind and reserve **261—Chapter 401**.