Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 265—Chapters 2, 4, 30, 32, 37, and 38
"Rescission of Chapters"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 16.5, 16.5C, 16.38, and 16.39

State or federal law(s) implemented by the rulemaking: Iowa Code sections 16.4, 16.5, 16.5C, 16.38, 16.39; 2009 Iowa Acts Senate File 376; 2010 Iowa Acts, House File 2487; 2010 Iowa Acts, Senate File 2389; Executive Order 9 (November 7, 2008); and the federal Heartland Disaster Tax Relief Act of 2008.

Public Hearing

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

September 24, 2024	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. Written comments in response to this Regulatory Analysis 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:

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Iowa Finance Authority
1963 Bell Avenue, Suite 200
Des Moines, IA 50315
Email: lisa.connell@iowaeda.com

Purpose and Summary

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

- Chapter 2, which describes the policies and procedures applicable to provide origination and servicing of mortgage and temporary loans from the Authority. The chapter does not apply to any current loan programs administered by the Authority.
- Chapter 4, which describes the policies and procedures applicable to issue revenue bonds for any of the purposes for which financing is authorized under Iowa Code chapter 16. The chapter does not apply to current bond issues by the Authority.
- Chapter 30, which describes the policies and procedures that allocate authority to issue up to a specified amount of qualified midwestern disaster area bonds. The chapter is no longer applicable. The subject bonds ceased to be available in 2012.
- Chapter 32, which describes the policies and procedures applicable to the Authority's responsibilities as to the Iowa Jobs Program. The program has been discontinued.
- Chapter 37, which describes the policies and procedures of the recovery zone bond allocation and compliance. The chapter is no longer applicable. Iowa Code section 16.171, which authorized the rules, was repealed in 2014.
- Chapter 38, which describes the policies and procedures applicable to the Authority's responsibilities as to the Iowa Jobs II Program. The program has been discontinued.

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 2, 4, 30, 37, and 38 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 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 2, 4, 30, 32, 37, and 38 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:

Authority staff time is utilized to administer current loan programs and issue bonds according to the Authority's current authority.

- 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 2, 4, 30, 32, 37, and 38 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 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 chapters does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **265—Chapter 2**.

ITEM 2. Rescind and reserve **265—Chapter 4**.

ITEM 3. Rescind and reserve **265—Chapter 30**.

ITEM 4. Rescind and reserve **265—Chapter 32**.

ITEM 5. Rescind and reserve **265—Chapter 37**.

ITEM 6. Rescind and reserve **265—Chapter 38**.