

16.171 Recovery zone bonds — reporting — reallocation.

1. As used in this section:

a. “*Eligible issuer*” means the state or any political subdivision of the state authorized to issue bonds, including any entity authorized to issue bonds on behalf of the state or the political subdivision, the interest from which is excludable from gross income under section 103 of the Internal Revenue Code.

b. “*Large municipality*” means a city having a population of more than one hundred thousand.

c. “*Recovery zone bonds*” means recovery zone economic development bonds and recovery zone facility bonds allocated under the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115, codified in section 1400U-1 of the Internal Revenue Code.

2. The authority shall provide written notice to each county and large municipality in the state of the amount of the recovery zone bond allocation designated for each by the internal revenue service of the United States department of the treasury.

3. Each county or large municipality that issues recovery zone bonds shall provide a written notice of each such issuance to the authority on a form prescribed by the authority. The authority shall track the amount of the recovery zone bond allocation used by each county and large municipality.

4. a. A county or large municipality may, at any time prior to July 1, 2010, waive all or a portion of the county or large municipality’s recovery zone bond allocation, as applicable.

b. Any portion of a county or large municipality’s recovery zone bond allocation that remains unused on July 1, 2010, is deemed waived by the applicable county or large municipality.

5. a. The authority shall recapture all waived recovery zone bond allocations.

b. On or after March 1, 2010, any eligible issuer may apply to the authority requesting an allocation from the total amount of waived recovery zone bond allocations recaptured by the authority.

c. On or after April 1, 2010, the authority may reallocate the amount recaptured under this subsection according to rules adopted by the authority.

6. The authority shall promulgate rules to implement the provisions of this section, including any rules necessary to assure compliance with federal laws relating to the issuance of recovery zone bonds.

2010 Acts, ch 1117, §1, 2