

418.15 Durational limitation on use of revenues — property disposition.

1. *a.* A governmental entity shall not receive remittances of sales tax revenue under [this chapter](#) after twenty years from the date the governmental entity's project was approved by the board or after expiration of the additional period of years if approved under paragraph "b" unless the remittance amount is calculated under [section 418.11](#) based on sales subject to the tax under [section 423.2](#) occurring before the expiration of the twenty-year period or expiration of the additional period of years if approved under paragraph "b".

b. The twenty-year period for receiving remittances of sales tax revenue under [this chapter](#) may be extended upon application by the governmental entity and approval by the board. An application for an extension of the twenty-year period must be filed by the governmental entity with the board prior to expiration of the twenty-year period. The board may approve the governmental entity to receive remittances of sales tax revenue under [this chapter](#) for an additional period of consecutive years beyond the twenty-year period if all of the following are satisfied:

(1) The total amount of remittances actually received by the governmental entity during the twenty-year period are less than the total amount of remittances for which the governmental entity was approved to receive by the board at the time of the project's approval under [section 418.9, subsection 4](#), and reduced under [section 418.9, subsection 8](#), or [section 418.12, subsection 6](#), paragraph "b", if applicable.

(2) The amount of the remittances approved in each additional year does not exceed fifteen million dollars or seventy percent of the total yearly amount of increased sales tax increment revenue in the governmental entity's applicable area and deposited in the governmental entity's account, whichever is less.

(3) The total amount of remittances in any such additional fiscal year for all governmental entities approved to use sales tax revenues under [this chapter](#) does not exceed, in the aggregate, thirty million dollars.

(4) The total amount of remittances to the governmental entity approved by the board for all additional years does not exceed the difference between the total amount of remittances actually received by the governmental entity during the twenty-year period and the total amount of remittances for which the governmental entity was approved to receive by the board at the time of the project's approval under [section 418.9, subsection 4](#), and reduced under [section 418.9, subsection 8](#), or [section 418.12, subsection 6](#), paragraph "b", if applicable.

2. If the governmental entity ceases to need the sales tax revenues prior to the expiration of the limitation under [subsection 1](#), the governmental entity shall notify the director of revenue.

3. Upon the receipt of a notification pursuant to [subsection 2](#), or the expiration of the limitation under [subsection 1](#), the department of revenue shall cease to deposit revenues into the governmental entity's account in the sales tax increment fund.

4. All property and improvements acquired by a governmental entity as defined in [section 418.1, subsection 4](#), paragraph "c", relating to a project shall be transferred to the county, city, drainage district, sanitary district, or combined water and sanitary district designated in the [chapter 28E](#) or [28F](#) agreement to receive such property and improvements. The county, city, drainage district, sanitary district, or combined water and sanitary district to which such property or improvements are transferred shall, unless otherwise provided in the [chapter 28E](#) or [28F](#) agreement, be solely responsible for the ongoing maintenance and support of such property and improvements.

[2012 Acts, ch 1094, §16, 18; 2015 Acts, ch 120, §20, 24, 25; 2015 Acts, ch 138, §18, 161, 162; 2016 Acts, ch 1138, §36; 2017 Acts, ch 157, §2](#)

2015 amendment to subsection 4 applies to flood mitigation project plan applications received before, on, or after June 22, 2015; 2015 Acts, ch 120, §25

Subsection 1, paragraph a amended