

16.153 Water quality financing program fund — other funds — trust agreement.

1. *a.* A water quality financing program fund is created and shall consist of appropriations made to the fund, moneys credited to the fund pursuant to [section 16.134A](#), and transfers of interest, earnings, and moneys from other funds as provided by law. The fund shall be administered by the authority as a revolving fund. Moneys in the fund are appropriated to the authority for purposes of the program. Notwithstanding [section 8.33](#), moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure for the purposes designated. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

b. The authority shall use the moneys in the fund to provide financial assistance to eligible entities under the program. The authority may provide financial assistance in the form deemed most convenient for the efficient financing of projects, including loans, forgivable loans, or grants. The authority shall administer the fund and the program in such a manner as to provide a permanent source of water quality project financial assistance to eligible entities.

c. The authority may annually use an amount of not more than one percent of the moneys in the fund for administrative purposes.

2. *a.* The authority may establish and maintain other funds and accounts determined to be necessary to carry out the purposes of the program and shall provide for the funding, administration, investment, restrictions, and disposition of the funds and accounts.

b. Moneys appropriated to and used by the authority for purposes of paying the costs and expenses associated with the administration of the program shall be administered as determined by the authority.

c. All moneys transferred to the authority for purposes of the program shall be deposited and held in a fund or account established and maintained pursuant to [this section](#).

3. The funds or accounts held by the authority, or a trustee acting on behalf of the authority pursuant to a trust agreement related to the program, shall not be considered part of the general fund of the state, are not subject to appropriation for any other purpose by the general assembly, and in determining a general fund balance shall not be included in the general fund of the state, but shall remain in the funds and accounts maintained by the authority or trustee pursuant to a trust agreement. Funds and accounts held by the authority, or a trustee acting on behalf of the authority pursuant to a trust agreement related to the program, are separate dedicated funds and accounts under the administration and control of the authority and subject to [section 16.31](#).

4. By October 1 of each year or as part of the annual report under [section 16.7](#), the authority shall submit a report to the governor and the general assembly itemizing expenditures from the fund, if any, during the previous fiscal year.

[2018 Acts, ch 1001, §8](#); [2018 Acts, ch 1152, §6](#); [2024 Acts, ch 1182, §134](#)

Referred to in [§16.134A](#), [16.152](#)

Subsection 4 amended