

15.506 Agreement.

1. An eligible business that is approved by the authority to participate in the program shall enter into an agreement with the authority that specifies the criteria for the successful completion of all requirements of the program. The agreement must contain, at a minimum, provisions related to all of the following:

a. The eligible business must certify to the authority annually that the business is in compliance with the agreement.

b. If the eligible business fails to comply with any requirements of the program or the agreement, as determined by the authority, the eligible business may be required to repay any tax incentives the authority issued to the eligible business. After a final determination by the authority, the authority will notify the department of revenue of any required repayment of a tax incentive, which shall be considered a tax payment due and payable to the department of revenue by any taxpayer that claimed the tax incentive, and the failure to make the repayment may be treated by the department of revenue in the same manner as a failure to pay the tax shown due, or required to be shown due, with the filing of a return or deposit form. A county shall have the authority to take action to recover the value of property taxes not collected as a result of the exemption provided to the business under [this part](#).

c. If the eligible business undergoes a layoff or permanently closes any of its facilities within the state, the eligible business may be subject to all of the following:

(1) A reduction or elimination of some or all of the tax incentives the authority issued to the eligible business.

(2) Repayment of any tax incentives that the business has claimed, and payment of any penalties assessed by the department of revenue.

d. The project completion date, the agreement end date, the base employment level, any retained jobs, the number of created jobs, the qualifying wage threshold that is applicable to the project, the amount of qualifying investment, the maximum aggregate value of the tax incentives authorized by the board, and any other terms and obligations the authority deems necessary or material to the determination of the business's eligibility for the program, or the aggregate value of tax incentives approved by the board.

e. The eligible business shall only employ individuals legally authorized to work in this state. If the eligible business is found to knowingly employ individuals who are not legally authorized to work in this state, in addition to any penalties provided by law, all or a portion of any tax incentives issued by the authority shall be subject to repayment as described in [section 15.506, subsection 1](#), paragraph "b".

f. Any terms deemed necessary by the authority to effect the eligible business's ongoing compliance with [section 15.504](#).

2. The business shall satisfy all applicable terms of the agreement by the project completion date; however, the board may for good cause extend the project completion date or otherwise amend the terms of the agreement. The board shall not amend the terms of the agreement to allow an increase in the maximum aggregate value of the tax incentives authorized by the board under [section 15.505, subsection 3](#).

3. The eligible business shall comply with all applicable terms of the agreement until the agreement end date. An eligible business shall maintain the business's base employment level until the agreement end date.

4. The eligible business shall not assign the agreement to another entity without the advance written approval of the board.

5. The authority may enforce the terms of the agreement as necessary and appropriate.

[2025 Acts, ch 136, §13, 20](#)

Referred to in [§15.503](#), [15.511](#)

NEW section