

701—237.2 (15J) Definitions.

“*Board*” means the economic development authority board established pursuant to Iowa Code section 15.105.

“*Commencement date*” means the date established for each district by the board under Iowa Code section 15J.4, subsection 3, upon which the calculation of new state sales tax and new state hotel and motel tax revenue for deposit in the fund shall begin.

“*Department*” means the department of revenue.

“*District*” means the area within a municipality that is designated a reinvestment district pursuant to Iowa Code section 15J.4.

“*Fund*” means the state reinvestment district fund created in Iowa Code section 15J.6.

“*Governing body*” means the county board of supervisors, city council, or other body in which the legislative powers of the municipality are vested.

“*Municipality*” means a county or an incorporated city.

“*New lessor*” means a lessor, as defined in Iowa Code section 423A.2, operating a business in the district that was not in operation in the area of the district before the effective date of the ordinance establishing the district, regardless of ownership. “*New lessor*” also includes any lessor, as defined in Iowa Code section 423A.2, operating a business in the district if the place of business for that business is the subject of a project that was approved by the board.

“*New retail establishment*” means a business operated in the district by a retailer, as defined in Iowa Code section 423.1, that was not in operation in the area of the district before the effective date of the ordinance establishing the district, regardless of ownership. “*New retail establishment*” also includes any business operated in the district by a retailer, as defined in Iowa Code section 423.1, if the place of business for that retail establishment is the subject of a project that was approved by the board.

“*Project*” means a vertical improvement constructed or substantially improved within a district using sales tax revenues and hotel and motel tax revenues received by a municipality pursuant to this chapter. “*Project*” does not include any of the following:

1. A building, structure, or other facility that is in whole or in part used or intended to be used to conduct gambling games under Iowa Code chapter 99F.
2. A building, structure, or other facility that is in whole or in part used or intended to be used as a hotel or motel if such hotel or motel is connected to or operated in conjunction with a building, structure, or other facility described in paragraph “1” above.

“*State hotel and motel tax*” means the state-imposed tax under Iowa Code section 423A.3.

“*State reinvestment district fund*” means the fund created in Iowa Code section 15J.6, pursuant to Iowa Code section 423.2, subsection 11, paragraph “b,” and Iowa Code section 423A.6, and described in rule 701—237.4(15J).

“*State sales tax*” means the sales and services tax imposed pursuant to Iowa Code section 423.2.

“Substantially improved” means that the cost of the improvements is equal to or exceeds 50 percent of the assessed value of the property, excluding the land, prior to such improvements.

“Vertical improvement” means a building that is wholly or partially above grade and all appurtenant structures to the building.

This rule is intended to implement Iowa Code section 15J.2.

[ARC 1443C, IAB 4/30/14, effective 6/4/14]