

**261—74.7 (83GA,SF344) Disaster recovery component.**

**74.7(1) Eligibility.** In order to qualify for financial assistance under the disaster recovery component of the program, a business shall meet all of the following conditions:

*a.* The business is located in an area declared a disaster area by a federal official.

*b.* The business has sustained substantial physical damage and has closed as the result of a natural disaster. For purposes of this rule, “sustained substantial physical damage” means damage of any origin sustained by a structure or the machinery and equipment contained within whereby the cost of restoring the structure to its before-damaged condition or replacing the machinery and equipment would exceed 50 percent of the market value of the structure or machinery and equipment before the damage occurred. If the business is located in a multitenant building, the market value of the structure before the damage occurred may be prorated based on the percentage of space within the building which the business occupies.

*c.* The business must commit to bringing its employment level up, within six months of the award date, to at least 90 percent of its base employment prior to the closure of the business due to the natural disaster in a presidentially declared disaster area. The business shall submit payroll records to establish the business’s employment base prior to the date of the presidential disaster declaration.

*d.* The business must commit to paying wages, within six months of the award date, that are no less than the wages paid prior to the closure of the business due to the natural disaster in a presidentially declared disaster area. The business shall submit payroll records to establish the wages that were paid prior to the date of the presidential disaster declaration.

*e.* The business must apply for assistance within 12 months of the date of the declaration of disaster by a federal official.

**74.7(2) Local match not required.** A business applying for financial assistance under the disaster recovery component is eligible for financial assistance regardless of whether the business has received matching funds from a city or county.

These rules are intended to implement 2009 Iowa Acts, Senate File 344, section 3.