

House Amendment 8349

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1 1 Amend Senate File 2183, as passed by the Senate, as
1 2 follows:

1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:

1 5 <Section 1. Section 15E.192, subsection 2, Code
1 6 Supplement 2005, is amended to read as follows:

1 7 2. A city ~~with a population of twenty-four~~
~~1 8 thousand or more which includes at least three census~~
~~1 9 tracts with at least fifty percent of the population~~
~~1 10 in each census tract located in the city, as shown by~~

1 11 the 2000 certified federal census, may create an
1 12 economic development enterprise zone as authorized in
1 13 this division, subject to certification by the
1 14 department of economic development, by designating one
1 15 or more contiguous census tracts, as determined in the
1 16 most recent federal census, or designating other
1 17 geographic units approved by the department of
1 18 economic development for that purpose. If there is an
1 19 area in the city which meets the requirements for
1 20 eligibility for an urban or rural enterprise community
1 21 under Title XIII of the federal Omnibus Budget
1 22 Reconciliation Act of 1993, such area shall be
1 23 designated by the state as an economic development
1 24 enterprise zone. The area meeting the requirements
1 25 for eligibility for an urban or rural enterprise
1 26 community shall not be included for the purpose of
1 27 determining the area limitation pursuant to subsection

1 28 3. In creating an enterprise zone, a city ~~with a~~
~~1 29 population of twenty-four thousand or more which~~
~~1 30 includes at least three census tracts with at least~~
~~1 31 fifty percent of the population in each census tract~~
~~1 32 located in the city, as shown by the 2000 certified~~

1 33 federal census, may designate as part of the area
1 34 tracts or approved geographic units located in a
1 35 contiguous city if such tracts or approved geographic
1 36 units meet the criteria and the city agrees to being
1 37 included. The city may establish more than one
1 38 enterprise zone. Reference in this division to "city"
1 39 means a city ~~with a population of twenty-four thousand~~
~~1 40 or more which includes at least three census tracts~~
~~1 41 with at least fifty percent of the population in each~~
~~1 42 census tract located in the city, as shown by the 2000~~

1 43 certified federal census.

1 44 Sec. 2. Section 15E.192, Code Supplement 2005, is
1 45 amended by adding the following new subsections:
1 46 NEW SUBSECTION. 2A. A city may create an economic
1 47 development enterprise zone as authorized in this
1 48 division, subject to certification by the department
1 49 of economic development, by designating up to four
1 50 square miles of the city for that purpose. In order

2 1 for an enterprise zone to be certified pursuant to
2 2 this subsection, an enterprise zone shall meet the
2 3 distress criteria provided in section 15E.194,
2 4 subsection 2A. Section 15E.194, subsection 2, shall
2 5 not apply to an enterprise zone certified pursuant to
2 6 this subsection. A cumulative total of not more than
2 7 twenty-five million dollars worth of incentives and
2 8 assistance under section 15E.196, subsections 1, 2, 3,
2 9 4, and 6, shall be awarded to businesses located in
2 10 enterprise zones certified prior to July 1, 2007,
2 11 pursuant to this subsection. For the fiscal period
2 12 beginning July 1, 2007, and ending June 30, 2010, each
2 13 fiscal year a cumulative total of not more than
2 14 twenty-five million dollars worth of incentives and
2 15 assistance under section 15E.196, subsections 1, 2, 3,
2 16 4, and 6, shall be awarded to businesses located in
2 17 enterprise zones certified during that fiscal year
2 18 pursuant to this subsection. A business located in an
2 19 enterprise zone certified pursuant to this subsection
2 20 that receives incentives and assistance shall have up
2 21 to two fiscal years after the fiscal year in which
2 22 incentives and assistance are awarded to use or expend
2 23 such incentives and assistance. Any incentives and
2 24 assistance that remain unused or unexpended at the end

2 25 of a project or by June 30 of the second fiscal year
2 26 after the fiscal year in which the incentives and
2 27 assistance were awarded shall be credited to the
2 28 fiscal year in which the incentives and assistance
2 29 were awarded and may be awarded by the department to a
2 30 different business. For purposes of this subsection
2 31 and section 15E.194, subsection 2A, "city" means a
2 32 city that includes at least three census tracts, as
2 33 determined in the most recent federal census.

2 34 NEW SUBSECTION. 2B. A city that includes at least
2 35 two census tracts with at least fifty percent of the
2 36 population in each census tract located in the city
2 37 may create an economic development enterprise zone as
2 38 authorized in this division, subject to certification
2 39 by the department of economic development as provided
2 40 in section 15E.194, subsection 3. An enterprise zone
2 41 under this subsection shall not be required to meet
2 42 any distress criteria.

2 43 Sec. 3. Section 15E.192, subsection 3, paragraph
2 44 b, Code Supplement 2005, is amended to read as
2 45 follows:

2 46 b. A county or city may apply to the department
2 47 for an area to be certified as an enterprise zone ~~at~~
~~2 48 any time prior to March 1, 2006.~~ However, the total
2 49 amount of land designated as enterprise zones under
2 50 ~~subsections 1 and 2~~ subsection 1, and any other
3 1 enterprise zones certified by the department,
3 2 excluding those approved pursuant to subsection 2B and
3 3 section 15E.194, ~~subsection~~ subsections 2A and 4,
3 4 shall not exceed in the aggregate one percent of the
3 5 total county area.

3 6 Sec. 4. Section 15E.192, subsection 4, Code
3 7 Supplement 2005, is amended to read as follows:

3 8 4. An enterprise zone designation shall remain in
3 9 effect ~~for ten years following the date of~~
~~3 10 certification until one year following the completion~~
~~3 11 of the designation of census tracts for the state as~~
~~3 12 part of the 2010 census process.~~ Any state or local
3 13 incentives or assistance that may be conferred must be
3 14 conferred before the designation expires. However,
3 15 the benefits of the incentive or assistance may
3 16 continue beyond the expiration.

3 17 Sec. 5. Section 15E.193B, subsection 1, Code
3 18 Supplement 2005, is amended to read as follows:

3 19 1. A housing business qualifying under this
3 20 section is eligible to receive incentives and
3 21 assistance only as provided in this section. An
3 22 eligible housing business shall not receive incentives
3 23 or assistance for a home or multiple dwelling unit
3 24 built or rehabilitated in an enterprise zone
3 25 designated pursuant to section 15E.194, subsection 2A
~~3 26 or 4.~~ Sections 15E.193 and 15E.196 do not apply to an
3 27 eligible housing business qualifying under this
3 28 section.

3 29 Sec. 6. Section 15E.194, Code 2005, is amended by
3 30 adding the following new subsection:

3 31 NEW SUBSECTION. 2A. A city may designate an area
3 32 of up to four square miles to be an enterprise zone if
3 33 the area includes or is located within four miles of
3 34 at least three of the following:

- 3 35 a. A commercial service airport.
- 3 36 b. A barge terminal or a navigable waterway.
- 3 37 c. Entry to a rail line.
- 3 38 d. Entry to an interstate highway.
- 3 39 e. Entry to a commercial and industrial highway

3 40 network as identified pursuant to section 313.2A.
3 41 An eligible housing business under section 15E.193B
3 42 shall not receive incentives or assistance for a home
3 43 or multiple dwelling unit built or rehabilitated in an
3 44 enterprise zone designated pursuant to this
3 45 subsection.

3 46 Sec. 7. Section 15E.194, subsection 3, Code 2005,
3 47 is amended to read as follows:

3 48 3. The department of economic development shall
3 49 certify eligible enterprise zones that meet the
3 50 requirements of subsection 1 upon request by the
4 1 county, ~~or~~ subsection 2 upon request by the city, ~~or~~
~~4 2 subsection 2A upon request by the city,~~ as applicable.
~~4 3 Once every two years, the department may certify one~~
~~4 4 enterprise zone pursuant to section 15E.192,~~
~~4 5 subsection 2B.~~

4 6 Sec. 8. Section 15E.195, subsection 2, Code 2005,
4 7 is amended to read as follows:
4 8 2. ~~A city with a population of twenty-four~~
~~4 9 thousand or more which includes at least three census~~
~~4 10 tracts with at least fifty percent of the population~~
~~4 11 in each census tract located in the city and which~~
4 12 designates an enterprise zone pursuant to section
4 13 15E.194, subsection 2 ~~or 2A~~, and in which an eligible
4 14 enterprise zone is certified shall establish an
4 15 enterprise zone commission to review applications from
4 16 qualified businesses located within or requesting to
4 17 locate within an enterprise zone to receive incentives
4 18 or assistance as provided in section 15E.196. The
4 19 enterprise zone commission shall review applications
4 20 from qualified housing businesses requesting to
4 21 receive incentives or assistance as provided in
4 22 section 15E.193B. The commission shall consist of
4 23 nine members. Six of these members shall consist of
4 24 one representative of an international labor
4 25 organization, one member with economic development
4 26 expertise chosen by the department of economic
4 27 development, one representative of the city council,
4 28 one member of the local community college board of
4 29 directors, one member of the city planning and zoning
4 30 commission, and one representative of the local
4 31 workforce development center. These six members shall
4 32 select the remaining three members. If the enterprise
4 33 zone consists of an area meeting the requirements for
4 34 eligibility for an urban enterprise community under
4 35 Title XIII of the federal Omnibus Budget
4 36 Reconciliation Act of 1993, one of the remaining three
4 37 members shall be a representative of that community.
4 38 If a city contiguous to the city designating the
4 39 enterprise zone is included in an enterprise zone, a
4 40 representative of the contiguous city, chosen by the
4 41 city council, shall be a member of the commission. A
4 42 city in which an eligible enterprise zone is certified
4 43 shall have only one enterprise zone commission. If a
4 44 city has established an enterprise zone commission
4 45 prior to July 1, 1998, the city may petition to the
4 46 department of economic development to change the
4 47 structure of the existing commission.

4 48 Sec. 9. EFFECTIVE AND RETROACTIVE APPLICABILITY
4 49 DATES. This Act, being deemed of immediate
4 50 importance, takes effect upon enactment and, if
5 1 enacted after March 1, 2006, applies retroactively to
5 2 March 1, 2006.>
5 3 #2. Title page, by striking lines 1 and 2 and
5 4 inserting the following: <An Act relating to the
5 5 certification of enterprise zones and incentives and
5 6 assistance under the enterprise zone program and
5 7 including effective date and retroactive applicability
5 8 provisions.>
5 9 #3. By renumbering as necessary.

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5 13 COMMITTEE ON WAYS AND MEANS
5 14 J. K. VAN FOSSEN of Scott, Chairperson
5 15 SF 2183.203 81
5 16 tm/sh/4220