

House File 2460

H-8443

1 Amend House File 2460 as follows:

2 1. Page 1, by striking lines 23 through 28 and  
3 inserting:

4 <3. a. Each county that had an urban renewal plan  
5 and area in effect at any time during the most recently  
6 ended fiscal year shall complete for each such urban  
7 renewal plan and area and file with the department  
8 of management an urban renewal report by December 1  
9 following the end of such fiscal>

10 2. Page 2, line 17, by striking <5> and inserting  
11 <6>

12 3. Page 2, line 19, by striking <5> and inserting  
13 <6>

14 4. Page 4, line 17, by striking <management,> and  
15 inserting <management>

16 5. Page 4, lines 25 and 26, by striking <tax  
17 increment financing> and inserting <urban renewal>

18 6. Page 6, line 20, by striking <tax increment  
19 financing> and inserting <urban renewal>

20 7. Page 7, by striking lines 1 through 6 and  
21 inserting:

22 <2. a. Each city that had an urban renewal plan  
23 and area in effect at any time during the most recently  
24 ended fiscal year shall complete for each such urban  
25 renewal plan and area and file with the department  
26 of management an urban renewal report by December 1  
27 following the end of such fiscal>

28 8. Page 7, line 29, by striking <5> and inserting  
29 <6>

30 9. Page 7, line 31, by striking <5> and inserting  
31 <6>

32 10. Page 9, line 29, by striking <management,> and  
33 inserting <management>

34 11. Page 9, line 35, through page 10, line 1, by  
35 striking <tax increment financing> and inserting <urban  
36 renewal>

37 12. Page 11, line 2, after <county> by inserting  
38 <, unless a majority of the affected taxing entities  
39 in the proposed urban renewal area or existing urban  
40 renewal area, as applicable, by resolution approves  
41 such establishment or modification>

42 13. Page 11, line 25, before <public> by inserting  
43 <first>

44 14. Page 12, line 4, before <public> by inserting  
45 <first>

46 15. Page 13, line 9, by striking <that if> and  
47 inserting <that if. However,>

48 16. Page 14, after line 7 by inserting:

49 <Sec. \_\_\_\_ . Section 403.5, subsection 4, unnumbered  
50 paragraph 1, Code 2011, is amended to read as follows:

1 Following the third such hearing, the local  
2 governing body may approve an urban renewal plan if it  
3 finds that:>

4 17. Page 19, line 1, after <(2)> by inserting <(a)>

5 18. Page 19, by striking line 2 and inserting  
6 <the contrary, and except as otherwise provided in  
7 subparagraph division (b), for taxes due and payable  
8 for fiscal years beginning on or after July 1,>

9 19. Page 19, by striking lines 6 through 26 and  
10 inserting <January 1 used to calculate the amount of  
11 taxes under section 403.19, subsection 1, and the  
12 year of the assessment roll used to calculate the  
13 amount of excess property taxes under section 403.19,  
14 subsection 2, first exceeds fifteen years, the year of  
15 the assessment roll as of January 1 that is otherwise  
16 required to be used to calculate the amount of taxes  
17 under section 403.19, subsection 1, shall be adjusted  
18 by increasing the year of the assessment roll by two  
19 assessment years. Such assessment roll so adjusted  
20 shall be increased in each subsequent fiscal year by  
21 two assessment years until the assessment roll as of  
22 January 1 used to calculate the amount of taxes under  
23 section 403.19, subsection 1, is later in time than  
24 the year of the assessment roll used to calculate the  
25 amount of excess property taxes under section 403.19,  
26 subsection 2, at which time the urban renewal area  
27 including all applicable urban renewal plans, projects,  
28 and ordinances providing for a division of revenue  
29 shall terminate and be of no further force and effect.>

30 20. Page 19, before line 27 by inserting:

31 <(b) A municipality may, following the filing  
32 of an application for a waiver with, and approval  
33 by, the department of management, extend the date  
34 of termination for the urban renewal area and all  
35 applicable urban renewal plans, projects, and  
36 ordinances to a date after the date determined in  
37 subparagraph division (a). Such an application  
38 shall be filed with the department of management not  
39 later than June 30, 2013, and the application shall  
40 be accompanied by all information and documentation  
41 required by the department. The extended termination  
42 date shall be determined by the department of  
43 management. However, an extended termination date  
44 shall not be later than a date determined by the  
45 department of management to be necessary for the  
46 municipality to pay and retire those loans, advances,  
47 bonds, or indebtedness, or portions thereof, incurred  
48 or issued before the effective date of this Act that  
49 qualify for payment from the special fund created  
50 in section 403.19, and by the terms of such loans,

1 advances, bonds, or indebtedness are required to  
2 be paid or retired after the date determined in  
3 subparagraph division (a). If the department of  
4 management approves a waiver under this subparagraph  
5 division (b), all moneys deposited into the special  
6 fund of the municipality after the date determined in  
7 subparagraph division (a), shall be used solely for  
8 the purpose of retiring such loans, advances, bonds,  
9 or indebtedness. During the period of the extension,  
10 property taxes collected under section 403.19,  
11 subsection 2, in excess of the amount necessary under  
12 the conditions of the extension shall be allocated and  
13 when collected paid into the funds for the respective  
14 taxing districts in the same manner as taxes on all  
15 other property.>

16 21. Page 19, after line 28 by inserting:  
17 <Sec. \_\_\_\_\_. Section 403.19, subsection 1, paragraph  
18 a, Code Supplement 2011, is amended to read as follows:

19 a. Unless otherwise provided in this section, that  
20 portion of the taxes which would be produced by the  
21 rate at which the tax is levied each year by or for  
22 each of the taxing districts upon the total sum of the  
23 assessed value of the taxable property in the urban  
24 renewal area, as shown on the assessment roll as of  
25 January 1 of the calendar year preceding the first  
26 calendar year in which the municipality certifies  
27 to the county auditor the amount of loans, advances,  
28 indebtedness, or bonds payable from the division of  
29 property tax revenue, or on the assessment roll last  
30 equalized prior to the date of initial adoption of  
31 the urban renewal plan if the plan was adopted prior  
32 to July 1, 1972, and the ordinance providing for the  
33 division of revenue was adopted before the effective  
34 date of this Act, shall be allocated to and when  
35 collected be paid into the fund for the respective  
36 taxing district as taxes by or for the taxing district  
37 into which all other property taxes are paid. However,  
38 the municipality may choose to divide that portion  
39 of the taxes which would be produced by levying the  
40 municipality's portion of the total tax rate levied  
41 by or for the municipality upon the total sum of  
42 the assessed value of the taxable property in the  
43 urban renewal area, as shown on the assessment roll  
44 as of January 1 of the calendar year preceding the  
45 effective date of the ordinance and if the municipality  
46 so chooses, an affected taxing entity may allow a  
47 municipality to divide that portion of the taxes  
48 which would be produced by levying the affected taxing  
49 district's portion of the total tax rate levied by or  
50 for the affected taxing entity upon the total sum of

1 the assessed value of the taxable property in the urban  
2 renewal area, as shown on the assessment roll as of  
3 January 1 of the calendar year preceding the effective  
4 date of the ordinance. This choice to divide a portion  
5 of the taxes shall not be construed to change the  
6 effective date of the division of property tax revenue  
7 with respect to an urban renewal plan in existence on  
8 July 1, 1994.>

9 22. By striking page 19, line 31, through page 20,  
10 line 3, and inserting:

11 <NEW PARAGRAPH. *d*. Notwithstanding any provision  
12 of this chapter to the contrary, on or after the  
13 effective date of this Act a municipality shall not  
14 adopt an ordinance providing for a division of revenue  
15 under this section for an urban renewal area containing  
16 wind energy conversion property as defined in section  
17 427B.26 unless a majority of affected taxing entities  
18 by resolution approves the proposed division of  
19 revenue. The division of revenue shall be limited to  
20 ten years following adoption of the ordinance. Revenue  
21 divided in an urban renewal area described in this  
22 paragraph shall only be used by the municipality for  
23 the construction, reconstruction, improvement, repair,  
24 or equipping of bridges, roads, and culverts under the  
25 jurisdiction of the municipality and located in the  
26 urban renewal area.>

27 23. Page 20, by striking lines 6 through 27 and  
28 inserting:

29 <NEW SUBSECTION. 3A. Except as provided in  
30 section 403.22, an ordinance providing for a division  
31 of revenue under this section that is adopted on or  
32 after the effective date of this Act shall be limited  
33 to twenty years from the calendar year following  
34 the calendar year in which the municipality first  
35 certifies to the county auditor the amount of any  
36 loans, advances, indebtedness, or bonds which qualify  
37 for payment from the division of revenue provided in  
38 section 403.19. The urban renewal area, including  
39 all applicable urban renewal plans, projects, and  
40 ordinances shall terminate and be of no further force  
41 and effect following the twenty-year period provided  
42 in this subsection.>

43 24. Page 21, by striking lines 6 through 9 and  
44 inserting <have either entered into a written agreement  
45 concerning the relocation of the commercial or  
46 industrial enterprise or have entered into a written  
47 agreement concerning the general use of economic  
48 incentives to attract commercial or industrial  
49 development within those municipalities.>

50 25. Page 22, by striking line 19 and inserting <the

1 following unless approved by resolution adopted by the  
2 governing bodies of a majority of the>

3 26. By striking page 23, line 1, through page 25,  
4 line 12, and inserting:

5 <Sec. \_\_\_\_\_. Section 403.22, Code Supplement 2011, is  
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 1A. With respect to any urban  
8 renewal area established on or after the effective  
9 date of this Act, a division of revenue as provided in  
10 section 403.19 shall not be allowed for the purpose  
11 of providing or aiding in the provision of public  
12 improvements related to housing and residential  
13 development unless a majority of the affected taxing  
14 entities, by resolution, approves a division of  
15 revenue for such purpose. If the use of a division of  
16 revenue for the purpose of providing or aiding in the  
17 provision of public improvements related to housing  
18 and residential development is approved by a majority  
19 of the affected taxing entities, the municipality is  
20 subject to the provisions of this section insofar as  
21 applicable.>

22 27. Title page, line 2, by striking <property>

23 28. By renumbering as necessary.

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SODERBERG of Plymouth