

House File 2641

S-5161

1 Amend the amendment, S-5157, to House File 2641, as amended,  
2 passed, and reprinted by the House, as follows:

3 1. Page 86, after line 23 by inserting:

4

<DIVISION \_\_\_\_

5

FLOOD MITIGATION PROGRAM SALES TAX INCREMENT CALCULATION

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Sec. \_\_\_\_ . Section 418.11, subsection 2, paragraph a, Code

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2020, is amended to read as follows:

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a. Determine the amount of sales subject to the tax under

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section 423.2 in each applicable area specified in subsection

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3, during the corresponding quarter in the base year from

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retail establishments in such areas. However, for projects

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approved by the board before the effective date of this

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division of this Act, the amount of sales determined under this

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paragraph may be adjusted by the board under subsection 2A.

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Sec. \_\_\_\_ . Section 418.11, Code 2020, is amended by adding

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the following new subsection:

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NEW SUBSECTION. 2A. a. For projects approved by the board

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before the effective date of this division of this Act, if

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the applicable area under subsection 3 is within an area for

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which the governor has proclaimed a disaster emergency or the

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president of the United States has declared a major disaster

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on or after January 1, 2020, but before June 30, 2020, and if

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the amount determined under subsection 2, paragraph "c" for a

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quarter beginning on or after January 1, 2020, is negative,

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the governmental entity may file a request with the board to

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adjust the amount determined and used under subsection 2,

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paragraph "a", to be an amount equal to the amount determined

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under subsection 2, paragraph "b" for that quarter to be used

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for each corresponding quarter for each of the next five years.

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Requests for an adjustment under this subsection must be made

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for each applicable quarter meeting the criteria of this

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subsection.

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b. Upon expiration of the five-year period, if the

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amount under subsection 2, paragraph "b", exceeds the amount

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determined for the base year under subsection 2, paragraph "a",

1 prior to the adjustment under this subsection 2A, the board  
2 shall restore the amount determined and used under subsection  
3 2, paragraph "a" to an amount equal to the amount determined  
4 for the original base year. If, however, at the expiration of  
5 the five-year period, the amount under subsection 2, paragraph  
6 "b", does not exceed the amount determined for the base year  
7 under subsection 2, paragraph "a", prior to the adjustment under  
8 this subsection 2A, the board may extend the period of the  
9 adjustment for an additional five years. Similar additional  
10 reviews shall be conducted by the board every five years  
11 thereafter.

12 c. An adjustment to the amount determined under subsection  
13 2, paragraph "a", shall not be construed to allow the amount  
14 of remittances received by a governmental entity to otherwise  
15 exceed the maximum amount permitted under this chapter.

16 Sec. \_\_\_\_ . EFFECTIVE DATE. This division of this Act, being  
17 deemed of immediate importance, takes effect upon enactment.>

18 2. By renumbering as necessary.

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LIZ MATHIS

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TODD TAYLOR