

H-8189

1 Amend House File 2450 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 ECONOMIC DEVELOPMENT PROGRAMS

6 Section 1. Section 15.106B, subsection 5, paragraph b, Code
7 2024, is amended by striking the paragraph.

8 Sec. 2. NEW SECTION. 15.106E **Application or award —**
9 **prohibition.**

10 1. The authority may prohibit a person from receiving an
11 award of financial assistance, or from being selected as a
12 vendor to provide goods or services to the authority in any of
13 the following circumstances:

14 a. An act or omission by the person seriously affects or
15 threatens public health, public safety, or the environment.

16 b. The person is charged with or convicted of a crime
17 involving dishonesty.

18 c. An act or omission by the person indicates a lack of
19 integrity or honesty.

20 d. The person violates the terms of an agreement or
21 transaction that detrimentally impacts the integrity of a
22 program administered by the authority, or other governmental
23 entity as defined in section 8A.101.

24 e. A compelling cause exists that is relevant to and affects
25 the person's obligations under the programs administered by the
26 authority, or is relevant to and affects the provision of goods
27 and services to the authority by a vendor.

28 2. Upon a determination by the authority, a person shall
29 be prohibited from receiving an award of financial assistance,
30 or from being selected as a vendor pursuant to subsection 1.
31 The authority shall provide written notice to the prohibited
32 person stating the reason for the prohibition. The authority
33 may immediately disqualify a prohibited person from receiving
34 financial assistance, or from being selected as a vendor.

35 3. A prohibited person may request a review of the

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1 determination made by the authority pursuant to subsection 2.

2 *a.* The request to review the determination shall be made
3 within thirty-five calendar days of the date the authority
4 provided written notice to the prohibited person. The request
5 to review the determination must be in writing and state the
6 specific reasons or legal basis for review.

7 *b.* Within sixty calendar days of the receipt of the request
8 to review, the authority shall approve, deny, or modify the
9 determination, if the authority finds that the determination
10 is based on a clear error of material fact or law, or if the
11 authority finds the determination was arbitrary, capricious, or
12 an abuse of discretion.

13 *c.* The authority shall issue its decision in writing and
14 provide written notice of the decision to the prohibited
15 person.

16 *d.* The decision of the authority pursuant to this subsection
17 shall be considered final agency action. A petition for
18 judicial review of the decision of the authority shall be filed
19 pursuant to section 17A.19.

20 4. The authority shall adopt rules as necessary pursuant to
21 chapter 17A to administer this section.

22 Sec. 3. Section 15.108, subsection 2, Code 2024, is amended
23 by striking the subsection and inserting in lieu thereof the
24 following:

25 2. *Marketing.* To aid in all of the following:

26 *a.* The marketing and promotion of Iowa products and
27 services.

28 *b.* The promotion and development of the agricultural
29 processing industry in the state.

30 Sec. 4. Section 15.108, subsection 3, paragraph a,
31 subparagraph (5), Code 2024, is amended to read as follows:

32 (5) Encourage cities, counties, local and regional
33 government organizations, and local and regional economic
34 development organizations to develop and implement
35 comprehensive community and economic development plans. ~~In~~

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1 ~~evaluating financial assistance applications, the authority~~
2 ~~shall award supplementary credit to applications submitted by~~
3 ~~cities, counties, local and regional government organizations,~~
4 ~~and local and regional economic development organizations~~
5 ~~that have developed a comprehensive community and economic~~
6 ~~development plan.~~

7 Sec. 5. Section 15.108, subsection 4, Code 2024, is amended
8 by striking the subsection and inserting in lieu thereof the
9 following:

10 4. *Exporting.* To promote and aid in the marketing and
11 sale of Iowa industrial and agricultural products and services
12 outside of the state. To carry out this responsibility, the
13 authority shall:

14 a. Perform the duties and activities specified for the
15 agricultural marketing program under sections 15.201 and
16 15.202.

17 b. Seek assistance and advice from the Iowa district export
18 council which advises the United States department of commerce.

19 Sec. 6. Section 15.108, subsection 5, paragraph d, Code
20 2024, is amended to read as follows:

21 ~~d. Coordinate with other divisions of the authority to add~~
22 Promote the contributions of Iowa's recreation, tourism, and
23 ~~leisure resources to the agricultural and other images which~~
24 ~~characterize the state on a national level.~~

25 Sec. 7. Section 15.108, subsection 5, paragraph o, Code
26 2024, is amended by striking the paragraph.

27 Sec. 8. Section 15.108, subsection 6, paragraph c, Code
28 2024, is amended by striking the paragraph and inserting in
29 lieu thereof the following:

30 c. Provide aid for the development and implementation of
31 the Iowa targeted small business procurement Act established in
32 sections 73.15 through 73.22.

33 Sec. 9. Section 15.108, subsection 6, paragraphs f and g,
34 Code 2024, are amended by striking the paragraphs.

35 Sec. 10. Section 15.108, subsection 7, Code 2024, is amended

1 by striking the subsection.

2 Sec. 11. Section 15.108, subsection 10, paragraph b,
3 subparagraph (3), Code 2024, is amended to read as follows:

4 (3) Establish programs which assist communities or local
5 entities in developing housing to meet a range of community
6 needs, including ~~programs to assist homeless shelter operations~~
7 ~~and~~ programs to assist in the development of housing to enhance
8 economic development opportunities in the community.

9 Sec. 12. Section 15.371, subsection 5, paragraph e, Code
10 2024, is amended to read as follows:

11 e. Employ a minimum of three full-time employees and no more
12 than ~~seventy-five~~ one hundred twenty-five full-time employees
13 across all of the manufacturer's locations.

14 Sec. 13. NEW SECTION. **73.22 Reports.**

15 1. By December 1 of each calendar year, the department of
16 administrative services shall provide a written summary to the
17 economic development authority of all activities undertaken
18 by the department of administrative services to maximize the
19 purposes of this subchapter during the immediately preceding
20 fiscal year.

21 2. By December 1 of each calendar year, the economic
22 development authority shall compile a list of the procurement
23 goals established pursuant to section 73.16, subsection 2, for
24 the prior fiscal year, and the performance of each agency or
25 department of state government having purchasing authority in
26 meeting the goals. The compilation shall be based upon the
27 reports required to be filed under section 73.16, subsection 2.

28 3. By January 15 of each calendar year, the economic
29 development authority shall submit to the governor and the
30 general assembly a summary of all reports required under this
31 section.

32 4. The director of the economic development authority, in
33 cooperation with the department of administrative services and
34 other state agencies shall do all of the following:

35 a. Publicize the targeted small business procurement goal

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1 ~~as defined in section 473.19, or for costs associated with~~
2 ~~projects under section 473.13A,~~ are exempt from the provisions
3 of ~~this subsection,~~ but are subject to the requirements of
4 section 7D.34. In addition, financing agreements funded
5 through the materials and equipment revolving fund established
6 in ~~section 307.47~~ are exempt from the provisions of this
7 subsection.

8 Sec. 16. Section 279.53, Code 2024, is amended to read as
9 follows:

10 **279.53 Loan proceeds.**

11 The proceeds of loans issued to school districts pursuant to
12 section 279.48, or 279.52, ~~or 473.20~~ shall be deposited into
13 either the general fund of a school district or the physical
14 plant and equipment levy fund. The board of directors shall
15 expend the amount of the principal and interest due each year
16 to maturity from the same fund into which the loan proceeds
17 were deposited.

18 Sec. 17. Section 298.3, subsection 1, paragraph g, Code
19 2024, is amended to read as follows:

20 *g.* Expenditures for energy conservation, ~~including payments~~
21 ~~made pursuant to a guarantee furnished by a school district~~
22 ~~entering into a financing agreement for energy management~~
23 ~~improvements, limited to agreements pursuant to section 473.19,~~
24 ~~473.20, or 473.20A.~~

25 Sec. 18. Section 473.3, subsection 2, Code 2024, is amended
26 by striking the subsection.

27 Sec. 19. NEW SECTION. **473.4 Duties of the authority.**

28 The authority shall do the following:

29 1. Periodically update the Iowa energy plan that identifies
30 objectives and strategies for developing the energy sector in
31 the state.

32 2. Administer and coordinate federal funds received for
33 energy conservation, energy management, and alternative and
34 renewable energy programs.

35 3. Apply for, receive, administer, and use federal or other

1 funds available for achieving the purposes of this chapter.

2 Sec. 20. NEW SECTION. 473.5 Energy security plan.

3 1. The governor or the governor's designee shall maintain
4 an energy security plan.

5 2. The energy security plan shall include but is not limited
6 to the following:

7 a. A description of the circumstances that indicate an
8 actual or imminent acute shortage of usable energy, including
9 liquid fossil fuels.

10 b. Any action to be taken by the authority or relevant
11 agencies in response to an executive order by the governor
12 under section 473.8.

13 Sec. 21. REPEAL. Sections 473.13A, 473.15, 473.19,
14 473.19A, 473.20, 473.20A, and 473.41, Code 2024, are repealed.

15 Sec. 22. TRANSFER OF MONEYS. On the effective date of this
16 division of this Act, any moneys remaining in the building
17 energy management fund in section 473.19A, Code 2024, shall be
18 transferred to the general fund of the state.>

19 2. Title page, by striking lines 1 through 3 and inserting
20 <An Act relating to economic development and energy shortages
21 under the purview of the economic development authority and
22 governor, and providing penalties.>

LATHAM of Franklin