

H-8228

1 Amend House File 2536 as follows:

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

4 <Section 1. NEW SECTION. 16.5E Application or award —  
5 prohibition.

6 1. The authority may prohibit a person from receiving an  
7 award of financial assistance, or from being selected as a  
8 vendor to provide goods or services to the authority in any of  
9 the following circumstances:

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

12 b. The person is charged with or convicted of a crime  
13 involving dishonesty.

14 c. An act or omission by the person indicates a lack of  
15 integrity or honesty.

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

20 e. A compelling cause exists that is relevant to and affects  
21 the person's obligations under the programs administered by the  
22 authority, or is relevant to and affects the provision of goods  
23 and services to the authority by a vendor.

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

31 3. A prohibited person may request a review of the  
32 determination made by the authority pursuant to subsection 2.

33 a. The request to review the determination shall be made  
34 within thirty-five calendar days of the date the authority  
35 provided written notice to the prohibited person. The request

1 to review the determination must be in writing and state the  
2 specific reasons or legal basis for review.

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

9 *c.* The authority shall issue its decision in writing and  
10 provide written notice of the decision to the prohibited  
11 person.

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

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

18 Sec. 2. Section 16.35, subsection 2, Code 2024, is amended  
19 by striking the subsection and inserting in lieu thereof the  
20 following:

21 2. The authority shall adopt a qualified allocation  
22 plan that satisfies the requirements of section 42 of  
23 the Internal Revenue Code. The authority may revise the  
24 qualified allocation plan provided the revision satisfies the  
25 requirements of section 42 of the Internal Revenue Code. When  
26 adopting the qualified allocation plan, the authority shall  
27 specify the selection criteria, the application procedure, and  
28 the allocation of low-income housing credits under the state  
29 housing credit ceiling. The selection criteria described  
30 in the qualified allocation plan shall include all of the  
31 following:

32 *a.* The selection criteria described in section 42 of the  
33 Internal Revenue Code.

34 *b.* The statutory preferences described in section 42 of the  
35 Internal Revenue Code.

- 1     *c.* The economic feasibility of the proposed project.  
2     *d.* The ability of the applicant to complete the project in a  
3 timely manner.

4     Sec. 3. Section 16.35, subsection 3, Code 2024, is amended  
5 by striking the subsection.

6     Sec. 4. Section 16.154, subsection 1, Code 2024, is amended  
7 to read as follows:

8     1. An eligible entity may apply to the authority for  
9 financial assistance under the program by submitting a plan  
10 ~~that meets~~ on an application form as required by the authority.  
11 To be approved for an award of financial assistance, the plan  
12 must meet all of the following requirements:

13     *a.* The plan ~~includes~~ proposes one or more projects that  
14 improve water quality in the local area or watershed. Projects  
15 shall use practices identified in the Iowa nutrient reduction  
16 strategy.

17     *b.* The plan ~~describes in detail~~ describes the manner in  
18 which the projects will be financed and undertaken, including,  
19 as applicable, the sources of revenue directed to financing  
20 the improvements as well as the eligible entities that will be  
21 receiving the revenues and how such revenues will be spent on  
22 the projects.>

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