## **FISCAL TOPICS**

Fiscal Services Division November 30, 2023



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# **Tax Credit: Historic Preservation Tax Credit**

The Historic Preservation Tax Credit provides a 25.0% tax credit for qualified expenditures incurred during the substantial rehabilitation of eligible historic properties in Iowa. To qualify, the property or district must meet any of the following criteria:

- The property is listed on the National Register of Historic Places, or is eligible for such a listing.
- The property is designated as having historic significance to a district listed in the National Register of Historic Places, or is eligible for this designation.
- The property or district is designated as a local landmark by a city or county ordinance.
- The property is a barn constructed before 1937.

Substantial rehabilitation of commercial property involves rehabilitation expenditures equaling at least \$50,000 or 50.0% of the assessed value of the property prior to rehabilitation (excluding the value of the land). For residential property or barns, rehabilitation expenditures must equal at least \$25,000 or 25.0% of the property's assessed value prior to rehabilitation.

### Tax Credit Background

- Enacting Legislation: 2000 Iowa Acts, chapter <u>1194</u> (Income and Property Taxes Credits, Deductions, and Exemptions Act)
- Iowa Code Citations:
  - Chapter <u>404A</u> Program Description
  - Section <u>422.11D</u> Individual Income Tax
  - Section <u>422.33(10)</u> Corporate Income Tax
  - Section 422.60(4) Franchise Tax
  - Section <u>432.12A</u> Insurance Premium Tax
- Administrative State Agencies: Iowa Economic Development Authority (IEDA), Iowa Department of Revenue (IDR)
- Sunset Date: None
- Transferable: Yes
- Refundable: Yes
- Carryforward: Yes, if taxpayer elects to claim the tax credit as nonrefundable.
- Tax Review Committee Review Year: 2024

### Legislative History

The Historic Preservation Tax Credit program went into effect on July 1, 2000, with a program cap of \$2.4 million and was originally named the Property Rehabilitation Tax Credit. Funding for fiscal year (FY) 2005 and FY 2006 was increased \$500,000 for projects located in Cultural and

### More Information

Department of Revenue Contingent Liabilities Report: <u>tax.iowa.gov/reports?term\_node\_tid\_depth=79</u> Department of Revenue Tax Credit Review:

tax.iowa.gov/sites/default/files/2020-01/Historic%20Preservation%202019.pdf

Department of Revenue Tax Credit Users' Manual:

tax.iowa.gov/sites/default/files/2022-12/TaxCreditsUsersManual2022.pdf

Legislative Services Agency Individual Income Tax Guide:

www.legis.iowa.gov/docs/publications/LG/711304.pdf

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Entertainment Districts (CEDs). Effective July 1, 2005, the amount of funding for CEDs increased to \$6.4 million per fiscal year and the program was renamed the Historic Preservation and Cultural and Entertainment District Tax Credit. Funding was increased to \$10.0 million for FY 2008, \$15.0 million for FY 2009, and \$20.0 million for FY 2010. For the awarded credits each fiscal year, 10.0% was designated for projects with a cost of less than \$500,000 and 40.0% was designated for projects located in a CED or a location that had entered into an Iowa Great Places agreement. The tax credit was also made refundable.

Effective July 1, 2009, the amount of funding was increased to \$50.0 million for FY 2010 and subsequent years. New funding streams for disaster recovery projects and projects involving the creation of more than 500 new permanent jobs were also added. Beginning FY 2012, the maximum amount of tax credits that may be awarded was reduced to \$45.0 million. During the 2013 Legislative Session, the definition of substantial rehabilitation of commercial property was changed to include rehabilitation costs equal to \$50,000 or 50.0% of the assessed value, whichever is less. The category of property that previously included residential property and barns was expanded to include any property other than commercial property. The placed-into-service date was extended, and the definition of a small project for which 10.0% of the dollar amount of the annual tax credit award must be reserved was increased from \$500,000 to \$750,000.

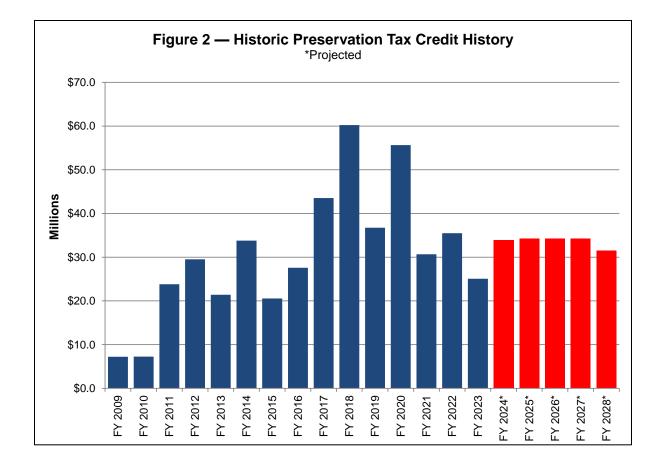
During the 2014 Legislative Session, the program was largely rewritten. All separate funds were eliminated except for small projects. Beginning with FY 2017, the amount of tax credits specified in agreements signed with registered projects is less than the maximum aggregate tax credit award limit, and up to 10.0% of the total cap may be carried forward to the succeeding fiscal year. The completion period was reduced to 36 months, and as part of the application process, projects are rated on readiness and preservation characteristics, eliminating the lottery system used previously.

Effective August 15, 2016, administrative oversight of the program was transferred from the Department of Cultural Affairs (DCA) to the IEDA, with the IEDA consulting with the DCA during the application process. The program name was changed to the Historic Preservation Tax Credit. Effective July 1, 2023, control of the program was transferred from the DCA to the IEDA.

#### Tax Credit Review, Usage, and Future Liability

The IDR reports on the annual credit usage for the Historic Preservation Tax Credit in its periodic <u>Contingent Liabilities Report</u>. Based on Table 9 of the report, the following figures provide credit redemption history and projections for the Historic Preservation Tax Credit on a fiscal year basis. The blue bars of Figure 2 indicate the actual credit redemptions, while the red bars are the IDR projections of future redemptions.

Figure 1 — Historic Preservation Tax Credit History					
*Projected					
	-	Tax Credit		Tax Credit	
Fiscal Year	Redemptions		Fiscal Year	Redemptions	
FY 2009	\$	7,241,428	FY 2019	\$	36,727,477
FY 2010		7,262,757	FY 2020		55,657,673
FY 2011		23,800,162	FY 2021		30,671,807
FY 2012		29,525,450	FY 2022		35,475,414
FY 2013		21,408,923	FY 2023		25,066,202
FY 2014		33,781,754	FY 2024*		33,913,645
FY 2015		20,573,764	FY 2025*		34,185,436
FY 2016		27,588,327	FY 2026*		34,264,412
FY 2017		43,540,191	FY 2027*		34,316,326
FY 2018		60,239,484	FY 2028*		31,472,681



Doc ID 1386558