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SENATE FILE

324

BY LUNDBY

(COMPANION TO LSB 2694HH

BY JENKINS)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to highway improvement assistance from the
2 revitalize Iowa's sound economy fund for brownfield sites.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SMALL BUS., ECON. DEV. & TOUR.

1 Section 1. NEW SECTION. 15.296 BROWNFIELD SITE

2 DETERMINATION -- RISE FUNDS ELIGIBILITY.

3 The department, in consultation with the brownfield
4 redevelopment advisory council, at the request of an applicant
5 for revitalize Iowa's sound economy fund financing, shall
6 determine whether the site for which the applicant has applied
7 for revitalize Iowa's sound economy fund financing under
8 chapter 315 meets the definition of a brownfield site in
9 section 15.291. The department shall notify the state
10 transportation commission of its determination under this
11 section. The department, in consultation with the state
12 department of transportation, shall adopt rules for the
13 administration of this section.

14 Sec. 2. Section 315.1, Code 2001, is amended by adding the
15 following new subsections:

16 NEW SUBSECTION. 0A. "Brownfield site" means a site for
17 which brownfield redevelopment program assistance has been
18 awarded under section 15.292 or that meets the definition of a
19 brownfield site in section 15.291, as determined by the
20 department of economic development under section 15.296.

21 NEW SUBSECTION. 3. "Improving or maintaining highway
22 access" includes new highway construction as well as the
23 paving, resurfacing, or reconstruction of an existing highway
24 when the project being developed is a brownfield site.

25 Sec. 3. Section 315.11, subsection 2, Code 2001, is
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. h. A project that would result in the
28 development and use of a parcel of land that is a brownfield
29 site.

30 Sec. 4. Section 315.11, Code 2001, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 8. Applications for projects involving
33 the development of parcels of land that are brownfield sites
34 shall be treated in the same manner as applications for
35 projects pursuant to which a business is expanding as part of

1 the development.

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EXPLANATION

3 This bill amends several provisions in Code chapter 315
4 relating to the revitalize Iowa's sound economy (RISE) fund.
5 The bill defines "improving or maintaining highway access", as
6 used in the Code chapter for purposes of determining
7 appropriate uses of the fund, as including new highway
8 construction as well as the paving, resurfacing, or
9 reconstruction of an existing highway when the project being
10 developed is a brownfield site.

11 The bill adds a factor to the list of factors to be given
12 special consideration by the state department of
13 transportation in ranking applications for RISE funds. The
14 factor added by the bill is a project's proposed development
15 and use of a parcel of land that is a brownfield site. The
16 bill also provides that, in the consideration of applications
17 for RISE funds, applications for projects involving the
18 development of parcels of land that meet the definition of a
19 brownfield site under section 15.291 shall be treated in the
20 same manner as applications for projects pursuant to which a
21 business is expanding as part of the development.

22 The bill also creates new Code section 15.296 directing the
23 department of economic development, in consultation with the
24 brownfield redevelopment advisory council, to determine
25 whether the site for which an applicant has applied for RISE
26 financing meets the definition of a brownfield site in Code
27 section 15.291. The department of economic development is to
28 make the determination at the request of the applicant for
29 RISE financing and is to notify the state transportation
30 commission of its determination.

31 Code section 15.291 currently defines a "brownfield site"
32 as an abandoned, idled, or underutilized industrial or
33 commercial facility where expansion or redevelopment is
34 complicated by real or perceived environmental contamination.
35 A brownfield site includes property contiguous with the

1 property on which the individual or commercial facility is
2 located. A brownfield site does not include property which
3 has been placed or is proposed to be included on the national
4 priorities list established pursuant to the federal
5 Comprehensive Environmental Response, Compensation, and
6 Liability Act.

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