

# House File 64 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON REBUILD IOWA  
AND DISASTER RECOVERY

(SUCCESSOR TO HSB 64)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to disaster assistance by providing a jumpstart  
2 housing assistance program, disaster aid individual assistance  
3 grants, a rebuild Iowa office, and community disaster grants,  
4 making appropriations, and providing effective and retroactive  
5 applicability dates.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 1877HV 83  
8 tm/rj/5

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1 1 DIVISION I  
1 2 JUMPSTART HOUSING ASSISTANCE  
1 3 Section 1. NEW SECTION. 16.191 JUMPSTART HOUSING  
1 4 ASSISTANCE PROGRAM.  
1 5 1. The Iowa finance authority shall establish and  
1 6 administer a jumpstart housing assistance program. Under the  
1 7 program, the authority shall provide grants to local  
1 8 government participants for purposes of distributing the  
1 9 moneys to eligible residents for eligible purposes relating to  
1 10 disaster-affected homes.  
1 11 2. An eligible resident is a person residing in a  
1 12 disaster-affected home who is the owner of record of a right,  
1 13 title, or interest in the disaster-affected home and who  
1 14 either has been approved by the federal emergency management  
1 15 agency for housing assistance or has a family income equal to  
1 16 or less than one hundred fifty percent of the county median  
1 17 family income.  
1 18 3. a. Eligible purposes include forgivable loans for down  
1 19 payment assistance and housing repair or rehabilitation and  
1 20 forgivable loans for interim mortgage assistance. An eligible  
1 21 resident who receives a forgivable loan may also receive  
1 22 energy efficiency assistance which shall be added to the  
1 23 principal of the forgivable loan. Forgivable loans shall be  
1 24 for a term of not more than ten years.  
1 25 b. Forgivable loans awarded after the effective date of  
1 26 this division of this Act shall be awarded pursuant to the  
1 27 following priorities:  
1 28 (1) First priority shall be given to eligible residents  
1 29 who have not received any moneys under the jumpstart housing  
1 30 assistance program prior to the effective date of this  
1 31 division of this Act.  
1 32 (2) Second priority shall be given to eligible residents  
1 33 who have received less than twenty-four thousand nine hundred  
1 34 ninety-nine dollars under the jumpstart housing assistance  
1 35 program prior to the effective date of this division of this  
2 1 Act.  
2 2 (3) Third priority shall be given to eligible residents  
2 3 who have received twenty-four thousand nine hundred  
2 4 ninety-nine dollars under the jumpstart housing assistance  
2 5 program prior to the effective date of this division of this  
2 6 Act and who continue to have unmet needs for down payment  
2 7 assistance, housing repair or rehabilitation, interim mortgage  
2 8 assistance, or energy efficiency assistance.  
2 9 4. Except as provided in subsection 3, paragraph "b",  
2 10 subparagraph (3), an eligible resident who meets the county  
2 11 median family income requirement shall not receive more than  
2 12 twenty-four thousand nine hundred ninety-nine dollars under  
2 13 the program.  
2 14 5. A local government participant may retain a portion of

2 15 the grant moneys for administrative purposes as provided in a  
2 16 grant agreement between the authority and the local government  
2 17 participant. The moneys retained for administrative purposes  
2 18 shall not exceed three percent of the moneys received by a  
2 19 local government participant.

2 20 6. Any moneys paid to a local government participant by an  
2 21 eligible resident shall be remitted to the authority for  
2 22 deposit in the housing assistance fund created in section  
2 23 16.40.

2 24 7. As determined by the authority, unused or unobligated  
2 25 moneys in the jumpstart housing assistance program may be  
2 26 reclaimed and reallocated by the authority to other local  
2 27 government participants.

2 28 8. As used in this section, unless the context otherwise  
2 29 requires:

2 30 a. "Disaster-affected home" means a dwelling that was  
2 31 destroyed or damaged due to a natural disaster occurring after  
2 32 May 24, 2008, and before August 14, 2008.

2 33 b. "Local government participant" means the cities of  
2 34 Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport,  
2 35 Des Moines, Dubuque, Iowa City, Waterloo, and West Des Moines;  
3 1 a council of governments whose territory includes at least one  
3 2 county that was declared a disaster area by the president of  
3 3 the United States after May 24, 2008, and before August 14,  
3 4 2008; and any county that is not part of any council of  
3 5 governments and that was declared a disaster area by the  
3 6 president of the United States after May 24, 2008, and before  
3 7 August 14, 2008.

3 8 Sec. 2. APPROPRIATION. There is appropriated from the  
3 9 Iowa economic emergency fund created in section 8.55 to the  
3 10 Iowa finance authority for the fiscal year beginning July 1,  
3 11 2008, and ending June 30, 2009, the following amount, or so  
3 12 much thereof as is necessary, to be used for the purposes  
3 13 designated:

3 14 For the jumpstart housing assistance program:  
3 15 ..... \$ 24,000,000

3 16 Notwithstanding section 8.33 and section 8.55, subsection  
3 17 3, paragraph "a", moneys appropriated in this section that  
3 18 remain unencumbered or unobligated at the close of the fiscal  
3 19 year shall not revert but shall remain available for  
3 20 expenditure for the purposes designated until the close of the  
3 21 succeeding fiscal year.

3 22 Sec. 3. EMERGENCY RULES. The authority may adopt  
3 23 emergency rules under section 17A.4, subsection 3, and section  
3 24 17A.5, subsection 2, paragraph "b", to implement the  
3 25 provisions of this division of this Act and the rules shall be  
3 26 effective immediately upon filing unless a later date is  
3 27 specified in the rules. Any rules adopted in accordance with  
3 28 this section shall also be published as a notice of intended  
3 29 action as provided in section 17A.4.

3 30 Sec. 4. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.  
3 31 This division of this Act, being deemed of immediate  
3 32 importance, takes effect upon enactment and applies  
3 33 retroactively to September 1, 2008, and is applicable on and  
3 34 after that date.

#### 3 35 DIVISION II

##### 4 1 DISASTER AID INDIVIDUAL ASSISTANCE GRANTS

4 2 Sec. 5. DISASTER AID INDIVIDUAL ASSISTANCE GRANTS ==  
4 3 APPROPRIATION.

4 4 1. There is appropriated from the Iowa economic emergency  
4 5 fund created in section 8.55 to the department of human  
4 6 services for the fiscal year beginning July 1, 2008, and  
4 7 ending June 30, 2009, the following amount, or so much thereof  
4 8 as is necessary, to be used for the purposes designated:

4 9 For providing disaster aid individual assistance grants  
4 10 pursuant to the requirements in this section:  
4 11 ..... \$ 10,000,000

4 12 2. The grant funds shall be administered by the department  
4 13 of human services under the Iowa disaster aid individual  
4 14 assistance grant program created under section 29C.20A.  
4 15 Notwithstanding contrary provisions of section 29C.20A and  
4 16 rules adopted to administer the program, a grant recipient  
4 17 shall not receive more than two thousand five hundred dollars  
4 18 per household, a grant recipient shall have an annual  
4 19 household income that is less than three hundred percent of  
4 20 the federal poverty level based on the number of people in the  
4 21 recipient's household as defined by the most recently revised  
4 22 poverty income guidelines published by the United States  
4 23 department of health and human services, and a recipient's  
4 24 eligible expenses may include mental health expenses.

4 25 3. Notwithstanding contrary provisions of section 29C.20A,

4 26 the department shall not be reimbursed using moneys  
4 27 appropriated under this section for administrative costs  
4 28 associated with administering the grants awarded from moneys  
4 29 appropriated under this section.

4 30 4. Notwithstanding contrary provisions of section 29C.20A,  
4 31 grants may be awarded to recipients located in an area for  
4 32 which the president of the United States declared a disaster  
4 33 to exist any time during 2008 or for which the governor  
4 34 proclaimed a state of disaster emergency pursuant to section  
4 35 29C.6.

5 1 5. Notwithstanding section 8.33 and section 8.55,  
5 2 subsection 3, paragraph "a", moneys appropriated in this  
5 3 section that remain unencumbered or unobligated at the close  
5 4 of the fiscal year shall not revert but shall remain available  
5 5 for expenditure for the purposes designated until the close of  
5 6 the succeeding fiscal year.

5 7 Sec. 6. EFFECTIVE DATE. This division of the Act, being  
5 8 deemed of immediate importance, takes effect upon enactment.

#### 5 9 DIVISION III

#### 5 10 COMMUNITY DISASTER GRANTS

5 11 Sec. 7. COMMUNITY DISASTER GRANTS == APPROPRIATION.

5 12 1. There is appropriated from the Iowa economic emergency  
5 13 fund created in section 8.55 to the department of management  
5 14 for the fiscal year beginning July 1, 2008, and ending June  
5 15 30, 2009, the following amount, or so much thereof as is  
5 16 necessary, to be used for the purposes designated:

5 17 For community disaster grants to cities and counties:

5 18 ..... \$ 22,000,000

5 19 2. a. The department of management shall divide the  
5 20 moneys appropriated under this section and award grants to  
5 21 cities and counties based on their pro rata share of the total  
5 22 statewide damage costs associated with natural disasters  
5 23 occurring after May 24, 2008, and before August 14, 2008, as  
5 24 calculated by the federal emergency management agency as of  
5 25 January 1, 2009.

5 26 b. Moneys awarded under this section shall be used by the  
5 27 recipient for any of the following purposes:

5 28 (1) Small business assistance.

5 29 (2) Nonprofit organization assistance.

5 30 (3) Assistance for the public purchase of land and  
5 31 accompanying structures if financial assistance for such  
5 32 purchases is not available from the federal emergency  
5 33 management agency.

5 34 (4) Assistance for the replacement or rehabilitation of  
5 35 housing.

6 1 (5) Assistance for the repair or replacement of public  
6 2 infrastructure.

6 3 (6) Assistance for increased costs associated with the  
6 4 revaluation and assessment of property due to a natural  
6 5 disaster occurring in 2008.

6 6 3. The department of management and grant recipients shall  
6 7 not use any moneys appropriated under this section for  
6 8 purposes of reimbursement for administrative costs.

6 9 4. By January 1, 2010, each grant recipient under this  
6 10 section shall submit a written report to the department of  
6 11 management specifying the allocation and uses of moneys  
6 12 received pursuant to this section. By January 8, 2010, the  
6 13 department of management shall forward copies of all reports  
6 14 received to the governor and the general assembly.

6 15 5. Notwithstanding section 8.33 and section 8.55,  
6 16 subsection 3, paragraph "a", moneys appropriated in this  
6 17 section that remain unencumbered or unobligated at the close  
6 18 of the fiscal year shall not revert but shall remain available  
6 19 for expenditure for the purposes designated until the close of  
6 20 the succeeding fiscal year.

6 21 Sec. 8. EFFECTIVE DATE. This division of the Act, being  
6 22 deemed of immediate importance, takes effect upon enactment.

#### 6 23 DIVISION IV

#### 6 24 REBUILD IOWA OFFICE

6 25 Sec. 9. REBUILD IOWA OFFICE.

6 26 1. A rebuild Iowa office is created for purposes of  
6 27 coordinating the state activities associated with the  
6 28 rebuilding efforts following the natural disasters occurring  
6 29 in this state after May 24, 2008, and before August 14, 2008.  
6 30 The homeland security and emergency management division of the  
6 31 department of public defense shall provide administrative  
6 32 support to the rebuild Iowa office.

6 33 2. The rebuild Iowa office shall be administered by an  
6 34 executive director who shall be appointed by the governor.

6 35 3. The rebuild Iowa office shall do all of the following:

7 1 a. Enter into contracts.

7 2 b. Receive intradepartmental and interdepartmental  
7 3 transfers of moneys pursuant to section 8.39.  
7 4 c. Perform all other lawful actions consistent with the  
7 5 purposes and duties of the office.  
7 6 d. Establish and pursue short-term priorities for recovery  
7 7 and long-term plans for redevelopment.  
7 8 e. Establish federal and state goals for the recovery and  
7 9 rebuilding efforts and coordinate such efforts among  
7 10 governmental entities to implement the goals.  
7 11 f. Identify funding sources and innovative financing  
7 12 alternatives to adequately fund recovery and redevelopment.  
7 13 g. Receive federal moneys and establish guidelines for  
7 14 disbursing such moneys.  
7 15 h. Establish timelines and benchmarks by which progress in  
7 16 disaster recovery and long-term reconstruction can be  
7 17 measured.  
7 18 i. Provide a means for members of the general public, the  
7 19 business community, nonprofit organizations, communities, and  
7 20 other stakeholders to have input regarding the recovery  
7 21 process.  
7 22 j. Provide state and local government with guidance for  
7 23 long-term recovery and redevelopment after a disaster.  
7 24 k. By January 31, 2010, and January 31, 2011, submit a  
7 25 written report to the governor and the general assembly  
7 26 regarding the activities of the office during the previous  
7 27 calendar year.

7 28 4. a. A coordinating council is established to facilitate  
7 29 communication between state agencies and the rebuild Iowa  
7 30 office. The rebuild Iowa office shall provide staffing for  
7 31 the council and the executive director of the rebuild Iowa  
7 32 office shall serve as the chairperson.

7 33 b. The council shall consist of the director, or the  
7 34 director's designee, of all of the following state agencies:

- 7 35 (1) The department of economic development.  
8 1 (2) The Iowa finance authority.  
8 2 (3) The department of human services.  
8 3 (4) The department of education.  
8 4 (5) The department of cultural affairs.  
8 5 (6) The college student aid commission.  
8 6 (7) The department of public health.  
8 7 (8) The department of workforce development.  
8 8 (9) The department of public defense, homeland security  
8 9 and emergency management division.  
8 10 (10) The board of regents.  
8 11 (11) The department of transportation.  
8 12 (12) The department of natural resources.  
8 13 (13) The department of management.  
8 14 (14) The department of elder affairs.

8 15 c. The executive director of the rebuild Iowa office may  
8 16 request representation on the council from other state  
8 17 agencies.

8 18 5. All state agencies shall, to the greatest extent  
8 19 practicable, cooperate with and provide support to the rebuild  
8 20 Iowa office.

8 21 6. The governor may assign any executive branch employee  
8 22 to serve in the rebuild Iowa office.

8 23 7. This section is repealed June 30, 2011.

8 24 Sec. 10. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

8 25 This division of this Act, being deemed of immediate  
8 26 importance, takes effect upon enactment, applies retroactively  
8 27 to June 27, 2008, and applies on and after that date.

8 28 EXPLANATION

8 29 This bill relates to disaster assistance by providing a  
8 30 jumpstart housing assistance program, disaster aid individual  
8 31 assistance grants, community disaster grants, and rebuild Iowa  
8 32 office, and making appropriations.

8 33 DIVISION I. This division of the bill requires the Iowa  
8 34 finance authority to establish and administer a jumpstart  
8 35 housing assistance program to provide grants to local  
9 1 government participants for purposes of distributing the  
9 2 moneys to eligible residents for eligible purposes which  
9 3 relate to disaster-affected homes. An eligible resident is a  
9 4 person residing in a disaster-affected home who is the owner  
9 5 of record of a right, title, or interest in the  
9 6 disaster-affected home and who either has been approved by the  
9 7 federal emergency management agency for housing assistance or  
9 8 meets certain income requirements. A disaster-affected home  
9 9 is a dwelling that was destroyed or damaged due to a natural  
9 10 disaster occurring after May 24, 2008, and before August 14,  
9 11 2008. Eligible purposes include forgivable loans for down  
9 12 payment assistance and housing repair or rehabilitation and

9 13 forgivable loans for interim mortgage assistance. The bill  
9 14 prioritizes eligible residents for the receipt of forgivable  
9 15 loans.

9 16 The division appropriates from the Iowa economic emergency  
9 17 fund to the Iowa finance authority for FY 2008=2009 \$24  
9 18 million for the jumpstart housing assistance program.

9 19 The division allows the authority to adopt emergency rules  
9 20 to implement the division's provisions.

9 21 The division takes effect upon enactment and applies  
9 22 retroactively to September 1, 2008.

9 23 DIVISION II. This division of the bill appropriates from  
9 24 the Iowa economic emergency fund to the department of human  
9 25 services for FY 2008=2009 \$10 million for providing disaster  
9 26 aid individual assistance grants. The grant funds shall be  
9 27 administered by the department of human services under the  
9 28 Iowa disaster aid individual assistance grant program. The  
9 29 division provides that notwithstanding contrary provisions of  
9 30 Code section 29C.20A and rules adopted to administer the  
9 31 program, a grant recipient shall not receive more than \$2,500  
9 32 per household, shall have an annual household income that is  
9 33 less than 300 percent of the federal poverty level, and  
9 34 eligible expenses may include mental health expenses. The  
9 35 division provides that, notwithstanding contrary provisions of  
10 1 Code section 29C.20A, the department shall not be reimbursed  
10 2 for administrative costs using the moneys appropriated. The  
10 3 division provides that, notwithstanding contrary provisions of  
10 4 Code section 29C.20A, grants may be awarded to recipients  
10 5 located in an area for which the president of the United  
10 6 States declared a disaster to exist any time during 2008 or  
10 7 for which the governor proclaimed a state of disaster  
10 8 emergency.

10 9 The division takes effect upon enactment.

10 10 DIVISION III. This division of the bill appropriates from  
10 11 the Iowa economic emergency fund to the department of  
10 12 management for FY 2008=2009 \$22 million for community disaster  
10 13 grants to cities and counties. The division requires the  
10 14 department of management to divide the appropriated moneys and  
10 15 award grants to cities and counties based on their pro rata  
10 16 share of the total statewide damage costs associated with  
10 17 natural disasters occurring after May 24, 2008, and before  
10 18 August 14, 2008, as calculated by the federal emergency  
10 19 management agency as of January 1, 2009. The division  
10 20 requires moneys awarded to be used by the recipient for small  
10 21 business assistance, nonprofit organization assistance,  
10 22 assistance for the public purchase of land and accompanying  
10 23 structures if financial assistance for such purchases is not  
10 24 available from the federal emergency management agency,  
10 25 assistance for the replacement or rehabilitation of housing,  
10 26 assistance for the repair or replacement of public  
10 27 infrastructure, and assistance for increased costs associated  
10 28 with the revaluation and reassessment of property due to a  
10 29 natural disaster occurring in 2008. The division prohibits  
10 30 the use of appropriated moneys for administrative costs and  
10 31 provides reporting requirements.

10 32 The division takes effect upon enactment.

10 33 DIVISION IV. This division of the bill creates a rebuild  
10 34 Iowa office for purposes of coordinating the state activities  
10 35 associated with the rebuilding efforts following the natural  
11 1 disasters occurring after May 24, 2008, and before August 14,  
11 2 2008. The division also establishes a coordinating council to  
11 3 facilitate communication between state agencies and the  
11 4 rebuild Iowa office. The rebuild Iowa office is eliminated on  
11 5 June 30, 2011. The provision takes effect upon enactment and  
11 6 applies retroactively to June 27, 2008, and is applicable on  
11 7 and after that date.

11 8 LSB 1877HV 83

11 9 tm/rj/5