

Senate File 548 - Introduced

SENATE FILE 548
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 1221)

A BILL FOR

1 An Act relating to the acquisition, donation, or sale of real
2 property for specified purposes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455B.291, subsection 9, paragraph a,
2 Code 2019, is amended to read as follows:

3 a. In the context of water pollution control facilities,
4 the acquisition, construction, reconstruction, extension,
5 equipping, improvement, or rehabilitation of any works and
6 facilities useful for the collection, treatment, and disposal
7 of sewage and industrial waste in a sanitary manner including
8 treatment works as defined in section 212 of the Clean Water
9 Act, or the implementation and development of management
10 programs established under sections 319 and 320 of the Clean
11 Water Act, including construction and undertaking of nonpoint
12 source water pollution control projects and related development
13 activities authorized under those sections. However, on and
14 after July 1, 2019, nonpoint source water pollution control
15 projects shall not include the acquisition of real property by
16 a private entity for future donation or sale to a political
17 subdivision, the department, or the federal government.

18 Sec. 2. Section 455B.295, subsection 2, Code 2019, is
19 amended to read as follows:

20 2. Each of the revolving loan funds shall include sums
21 appropriated to the revolving loan funds by the general
22 assembly, sums transferred by action of the governor under
23 section 455B.296, subsection 3, sums allocated to the state
24 expressly for the purposes of establishing each of the
25 revolving loan funds under the Clean Water Act and the Safe
26 Drinking Water Act, all receipts by the revolving loan funds,
27 and any other sums designated for deposit to the revolving
28 loan funds from any public or private source. All moneys
29 appropriated to and deposited in the revolving loan funds
30 are appropriated and shall be used for the sole purpose of
31 making loans to eligible entities to finance all or part of the
32 cost of projects, including sponsor projects under the water
33 resource restoration sponsor program established in section
34 455B.199. The moneys appropriated to and deposited in the
35 water pollution control works revolving loan fund shall not

1 be used to pay the nonfederal share of the cost of projects
2 receiving grants under the Clean Water Act. On and after
3 July 1, 2019, moneys in the revolving loan funds shall not
4 be used to finance, subsidize, or enable the acquisition of
5 real property by a private entity except that moneys in the
6 revolving loan funds may be used to finance or subsidize an
7 acquisition of real property by a private entity that occurred
8 prior to July 1, 2019. The moneys in the revolving loan funds
9 are not considered part of the general fund of the state, are
10 not subject to appropriation for any other purpose by the
11 general assembly, and in determining a general fund balance
12 shall not be included in the general fund of the state but
13 shall remain in the revolving loan funds to be used for their
14 respective purposes. The revolving loan funds are separate
15 dedicated funds under the administration and control of the
16 authority and subject to [section 16.31](#). Moneys on deposit in
17 the revolving loan funds shall be invested by the treasurer
18 of state in cooperation with the authority, and the income
19 from the investments shall be credited to and deposited in the
20 appropriate revolving loan funds.

21

EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to the acquisition, donation, or sale of
25 real property for specified purposes.

26 The bill prohibits water pollution control projects from
27 including the acquisition of real property by a private entity
28 for future donation or sale to a political subdivision, the
29 department of natural resources, or the federal government
30 on and after July 1, 2019. The bill also prohibits the use
31 of moneys in the revolving loan funds under the federal
32 Clean Water Act or Safe Drinking Water Act for the financing,
33 subsidizing, or enabling of the acquisition of real property
34 by a private entity on and after July 1, 2019, except that such
35 moneys may be used to finance or subsidize an acquisition of

S.F. 548

1 real property by a private entity that occurred prior to July
2 1, 2019.