

Senate Study Bill 1221 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON ROZENBOOM)

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 2.48, subsection 3, paragraph e,
2 subparagraph (6), Code 2019, is amended by striking the
3 subparagraph.

4 Sec. 2. Section 422.33, subsection 25, Code 2019, is amended
5 by striking the subsection.

6 Sec. 3. Section 455B.291, subsection 9, paragraph a, Code
7 2019, is amended to read as follows:

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

23 Sec. 4. Section 455B.295, subsection 2, Code 2019, is
24 amended to read as follows:

25 2. Each of the revolving loan funds shall include sums
26 appropriated to the revolving loan funds by the general
27 assembly, sums transferred by action of the governor under
28 section 455B.296, subsection 3, sums allocated to the state
29 expressly for the purposes of establishing each of the
30 revolving loan funds under the Clean Water Act and the Safe
31 Drinking Water Act, all receipts by the revolving loan funds,
32 and any other sums designated for deposit to the revolving
33 loan funds from any public or private source. All moneys
34 appropriated to and deposited in the revolving loan funds
35 are appropriated and shall be used for the sole purpose of

1 making loans to eligible entities to finance all or part of the
2 cost of projects, including sponsor projects under the water
3 resource restoration sponsor program established in section
4 455B.199. The moneys appropriated to and deposited in the
5 water pollution control works revolving loan fund shall not
6 be used to pay the nonfederal share of the cost of projects
7 receiving grants under the Clean Water Act. Land purchased
8 by a private entity with the assistance of revolving loan
9 funds shall not be acquired by a political subdivision or the
10 department after July 1, 2019. The moneys in the revolving
11 loan funds are not considered part of the general fund of
12 the state, are not subject to appropriation for any other
13 purpose by the general assembly, and in determining a general
14 fund balance shall not be included in the general fund of the
15 state but shall remain in the revolving loan funds to be used
16 for their respective purposes. The revolving loan funds are
17 separate dedicated funds under the administration and control
18 of the authority and subject to [section 16.31](#). Moneys on
19 deposit in the revolving loan funds shall be invested by the
20 treasurer of state in cooperation with the authority, and the
21 income from the investments shall be credited to and deposited
22 in the appropriate revolving loan funds.

23 Sec. 5. REPEAL. Section 422.11W, Code 2019, is repealed.

24 EXPLANATION

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

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

29 Current law allows a person or corporation to claim a
30 tax credit for a charitable conservation contribution to a
31 qualified organization made exclusively for conservation
32 purposes. The bill repeals that tax credit.

33 The bill prohibits water pollution control projects from
34 including the acquisition of real property for future donation
35 or sale to a political subdivision, the department of natural

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1 resources, or the federal government on and after July 1,
2 2019. The bill also prohibits a political subdivision or the
3 department from acquiring land that was purchased by a private
4 entity with the assistance of revolving loan funds under the
5 federal Clean Water Act or Safe Drinking Water Act.