

Senate File 465 - Introduced

SENATE FILE 465
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 1106)

A BILL FOR

1 An Act relating to matters under the purview of the economic
2 development authority and the Iowa finance authority including
3 the strategic infrastructure program, brownfield, grayfield,
4 and redevelopment tax credits, community attraction and
5 tourism, vision Iowa, sports tourism marketing, the historic
6 preservation tax credit, homelessness, the title guaranty
7 board, and arts and culture, and including applicability and
8 retroactive applicability provisions.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

STRATEGIC INFRASTRUCTURE PROGRAM

Section 1. Section 15.117A, subsection 6, paragraph c, Code 2025, is amended by striking the paragraph.

Sec. 2. Section 15.313, subsection 3, unnumbered paragraph 1, Code 2025, is amended to read as follows:

~~The Iowa innovation council~~ A committee appointed pursuant to section 15.117A, subsection 7, shall review each application received by the economic development authority for financial assistance under the program and shall make recommendations to the board regarding all of the following:

DIVISION II

BROWNFIELDS, GRAYFIELDS, AND REDEVELOPMENT TAX CREDITS

Sec. 3. Section 15.291, subsections 3 and 11, Code 2025, are amended by striking the subsections.

Sec. 4. Section 15.293A, subsection 3, unnumbered paragraph 1, Code 2025, is amended to read as follows:

The amount of the tax credit shall be determined by the board ~~in conjunction with the council. However, the tax credit and~~ shall not exceed the following amount, as applicable:

Sec. 5. Section 15.293B, subsection 1, paragraphs b, d, and h, Code 2025, are amended to read as follows:

b. The authority shall accept and, ~~in conjunction with the council,~~ review applications for tax credits provided in section 15.293A and, ~~with the approval of the council,~~ make tax credit award recommendations regarding the applications to the board. The authority may engage outside experts to complete a technical, financial, or other review.

d. Upon review of an application, the authority may register the project with the redevelopment tax credits program. If the authority registers the project, the authority may, ~~in conjunction with the council,~~ make a preliminary determination as to the amount of tax credit for which an award recommendation will be made to the board.

h. If the applicant for a tax credit provided in section

1 15.293A has also applied to an agency of the federal government
2 or to the authority, the board, or any other agency of state
3 government for additional financial assistance, the authority,
4 ~~the council~~, and the board shall consider the amount of funding
5 to be received from such public sources when making a tax credit
6 award pursuant to this section.

7 Sec. 6. Section 15.293B, subsection 1, paragraph f,
8 subparagraph (1), Code 2025, is amended to read as follows:

9 (1) All completed applications shall be reviewed and scored
10 on a competitive basis by the ~~council and the board~~ authority.
11 In reviewing and scoring applications, the ~~council and the~~
12 board authority may consider any factors the ~~council and board~~
13 deem authority deems appropriate for a competitive application
14 process, including but not limited to the financial need,
15 quality, and feasibility of a qualifying redevelopment project.

16 Sec. 7. Section 15.293B, subsection 2, paragraph c, Code
17 2025, is amended to read as follows:

18 c. Any other information deemed necessary by the ~~board~~
19 ~~and the council~~ authority to review and score the application
20 pursuant to subsection 1.

21 Sec. 8. Section 15.293B, subsections 4 and 5, Code 2025, are
22 amended to read as follows:

23 4. A registered project shall be completed within thirty
24 months of the date the project was registered unless the
25 authority, ~~upon recommendation of the council and~~ with the
26 approval of the board, provides additional time to complete the
27 project. If the registered project is not completed within
28 the time required, the project is not eligible to claim a
29 redemption tax credit provided in section 15.293A.

30 5. a. The investor shall engage a certified public
31 accountant authorized to practice in this state to conduct
32 an examination of the project in accordance with the American
33 institute of certified public accountants' statements on
34 standards for attestation engagements. Upon completion of a
35 registered project, ~~an audit of the project, completed by an~~

1 ~~independent certified public accountant licensed in this state,~~
2 the examination, along with a statement of the amount of final
3 qualifying investment, shall be submitted to the authority.

4 b. Upon review of the ~~audit and verification of the amount~~
5 ~~of the qualifying investment,~~ examination and statement submitted
6 pursuant to paragraph "a", the authority may issue a tax credit
7 certificate to the investor stating the amount of tax credit
8 under section 15.293A the investor may claim.

9 Sec. 9. REPEAL. Sections 15.292, 15.293, 15.294, and 15.295,
10 Code 2025, are repealed.

11 Sec. 10. TRANSFER OF MONEYS. On the effective date of this
12 division of this Act, any unencumbered or unobligated moneys
13 remaining in the brownfield redevelopment fund created in section
14 15.293 are transferred to a fund or funds established pursuant
15 to section 15.335B, subsection 1, paragraph "a", as determined by
16 the economic development authority.

17 DIVISION III

18 COMMUNITY ATTRACTION AND TOURISM, AND VISION IOWA — REQUIRED
19 BENEFITS

20 Sec. 11. REPEAL. Section 15F.106, Code 2025, is repealed.

21 Sec. 12. APPLICABILITY. This division of this Act applies to
22 an applicant awarded financial assistance under both the vision
23 Iowa program established in section 15F.302, and the community
24 attraction and tourism program established in section 15F.202, on
25 or after the effective date of this division of this Act.

26 Sec. 13. RETROACTIVE APPLICABILITY. This division of this
27 Act applies retroactively to an applicant awarded financial
28 assistance under both the vision Iowa program established in
29 section 15F.302, and the community attraction and tourism program
30 established in section 15F.202, prior to the effective date of
31 this division of this Act.

32 DIVISION IV

33 COMMUNITY ATTRACTION AND TOURISM PROGRAM, AND SPORTS TOURISM
34 MARKETING AND INFRASTRUCTURE PROGRAM — APPLICATION REVIEW

35 Sec. 14. Section 15F.203, subsection 2, Code 2025, is amended

1 to read as follows:

2 2. A The director of the authority shall appoint a review
3 committee composed of five members of the board shall with
4 relevant expertise to review community attraction and tourism
5 program applications forwarded to the board and. The review
6 committee shall make recommendations regarding the applications
7 to the board.

8 Sec. 15. Section 15F.402, subsection 2, Code 2025, is amended
9 to read as follows:

10 2. A The director of the authority shall appoint a review
11 committee composed of five members of the board shall with
12 relevant expertise to review sports tourism marketing and
13 infrastructure program applications forwarded to the board and.
14 The review committee shall make recommendations regarding the
15 applications to the authority.

16 DIVISION V

17 HISTORIC PRESERVATION TAX CREDIT

18 Sec. 16. Section 404A.1, subsection 2, Code 2025, is amended
19 by striking the subsection.

20 Sec. 17. Section 404A.1, subsection 7, Code 2025, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. d. The property is not a single-family
23 dwelling unit, unless the project will result in two or more
24 new single-family dwelling units that were not available for
25 occupancy as residential housing during the immediately preceding
26 consecutive six months prior to commencement of the project,
27 and the dwelling units are located in the same neighborhood, as
28 confirmed by the authority. The two or more new single-family
29 dwelling units must be made available for occupancy as a result
30 of the rehabilitation project. The authority may promulgate by
31 rule criteria used by the authority to determine if a property
32 is a single-family dwelling unit, and qualifies as a qualified
33 rehabilitation project under this paragraph.

34 Sec. 18. Section 404A.1, Code 2025, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 8. "Registration date" means the date on
2 which the authority notifies an eligible taxpayer of successful
3 registration of the taxpayer's qualified rehabilitation project
4 pursuant to section 404A.3, subsection 2.

5 Sec. 19. Section 404A.3, subsection 3, paragraph b,
6 subparagraphs (4) and (5), Code 2025, are amended to read as
7 follows:

8 (4) The ~~commencement~~ date of by which the qualified
9 rehabilitation project must commence, which shall ~~not~~ be no
10 ~~later than the end of the fiscal year in which the agreement~~
11 ~~is entered into~~ one calendar year from the registration date.
12 Upon application of the eligible taxpayer, the authority may,
13 at the discretion of the authority, extend the date by which
14 the qualified rehabilitation project must commence up to an
15 additional twelve consecutive months.

16 (5) (a) The ~~completion~~ date of by which the qualified
17 rehabilitation project, ~~which shall be within thirty-six months~~
18 ~~of the commencement date~~ must be completed, which shall be no
19 later than three consecutive calendar years from the registration
20 date. The qualified rehabilitation project shall be considered
21 complete as of the date the property that is the subject of
22 the qualified rehabilitation project is placed in service, as
23 described in 26 U.S.C. §47.

24 (b) Upon application of the eligible taxpayer, the authority
25 may, at the discretion of the authority, extend the date by which
26 the qualified rehabilitation project must be complete up to an
27 additional twelve consecutive months.

28 (c) Upon application of the eligible taxpayer made prior
29 to the expiration of an extension under subparagraph (b), the
30 authority may, at the discretion of the authority, extend the
31 date by which the qualified rehabilitation project must be
32 complete up to an additional twelve consecutive months. The
33 qualified eligible taxpayer must substantiate to the satisfaction
34 of the authority that the requested extension is warranted due
35 to extenuating circumstances outside the control of the eligible

1 taxpayer.

2 (d) An application by an eligible taxpayer under subparagraph
3 division (b) or (c) shall be made in the manner and form
4 prescribed by the authority by rule.

5 Sec. 20. Section 404A.4, subsection 1, paragraph a,
6 unnumbered paragraph 1, Code 2025, is amended to read as follows:

7 Except as provided in subsections 2, and 3, and 4, the
8 authority shall not award in any one fiscal year an amount of
9 tax credits provided in section 404A.2 in excess of forty-five
10 million dollars.

11 Sec. 21. Section 404A.4, Code 2025, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 4. a. If, during the fiscal year beginning
14 July 1, 2025, or any fiscal year thereafter, the authority
15 receives an application for a qualified rehabilitation project
16 with qualified rehabilitation expenditures that, if registered
17 by the authority, makes the eligible taxpayer eligible for tax
18 credits of ten million dollars or more, the authority may award
19 tax credits during the fiscal year in which the application is
20 received in an amount not to exceed twenty percent more than the
21 maximum aggregate tax credit award limit specified in subsection
22 1.

23 b. Tax credits awarded pursuant to this subsection shall be
24 considered for purposes of calculating the maximum aggregate
25 tax credits awarded pursuant to subsection 1 in the immediately
26 succeeding fiscal year.

27 DIVISION VI

28 HOMELESSNESS — IOWA FINANCE AUTHORITY

29 Sec. 22. Section 16.5F, subsection 3, Code 2025, is amended
30 to read as follows:

31 3. a. The authority ~~shall~~ may adopt rules pursuant to
32 chapter 17A for carrying out the duties of the authority pursuant
33 to this section.

34 b. The authority ~~shall~~ may establish internal rules of
35 procedure consistent with the provisions of this section.

1 c. Rules adopted or internal rules of procedure established
2 pursuant to paragraph "a" or "b" shall be consistent with the
3 requirements of the federal McKinney-Vento Homeless Assistance
4 Act, 42 U.S.C. §11301 et seq.

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DIVISION VII

6

TITLE GUARANTY BOARD — ELIMINATION

7 Sec. 23. Section 16.1A, subsection 5, Code 2025, is amended
8 to read as follows:

9 5. The board may, by resolution, delegate to the agricultural
10 development board, ~~title guaranty division board~~, director, or
11 other authority employee such of its powers, under such terms and
12 conditions, as it deems appropriate.

13 Sec. 24. Section 16.2A, Code 2025, is amended by striking the
14 section and inserting in lieu thereof the following:

15 **16.2A Title guaranty division.**

16 A title guaranty division is created within the authority.
17 The division may also be referred to as Iowa title guaranty.
18 The powers of the division relating to the issuance of title
19 guaranties are vested in and shall be exercised by the board.
20 The director shall appoint an attorney as director of the
21 division. The appointment of, and compensation for, the division
22 director shall be exempt from the merit system under chapter 8A,
23 subchapter IV, part 2. The net earnings of the division, beyond
24 that necessary for reserves, backing, guaranties issued, or to
25 otherwise implement the public purposes and programs authorized,
26 shall not inure to the benefit of any person other than the state
27 and are subject to section 16.2, subsection 9.

28 Sec. 25. Section 16.91, subsections 1, 3, and 6, Code 2025,
29 are amended to read as follows:

30 1. The authority, through the Iowa title guaranty division,
31 shall initiate and operate a program in which the division shall
32 offer guaranties of real property titles in this state. The
33 terms, conditions, and form of the guaranty contract shall be
34 forms approved by the ~~division~~ board. The division shall fix
35 a charge for the guaranty in an amount sufficient to permit the

1 program to operate on a self-sustaining basis, including payment
2 of administrative costs and the maintenance of an adequate
3 reserve against claims under the Iowa title guaranty program. A
4 title guaranty fund is created in the office of the treasurer
5 of state. Funds collected under this program shall be placed
6 in the title guaranty fund and are available to pay all claims,
7 necessary reserves and all administrative costs of the Iowa
8 title guaranty program. Moneys in the fund shall not revert
9 to the general fund and interest on the moneys in the fund
10 shall be deposited in the housing trust fund ~~established~~ created
11 in section 16.181 and shall not accrue to the general fund.
12 If the ~~authority board in consultation with the division board~~
13 determines that there are surplus funds in the title guaranty
14 fund after providing for adequate reserves and operating expenses
15 of the division, the surplus funds shall be transferred to the
16 housing assistance fund created pursuant to section 16.40.

17 3. With the approval of the ~~authority board~~, the division
18 ~~and its board~~ shall consult with the insurance division of the
19 department of insurance and financial services in developing
20 a guaranty contract acceptable to the secondary market and
21 developing any other feature of the program with which the
22 insurance division may have special expertise. Except as
23 provided in this subsection, the Iowa title guaranty program is
24 not subject to the jurisdiction of or regulation by the insurance
25 division or the commissioner of insurance.

26 6. Prior to the issuance of a title guaranty, the division
27 shall require evidence that an abstract of title to the property
28 in question has been brought up-to-date and certified by a
29 participating abstractor in a form ~~approved by division rules~~
30 acceptable to the division, and a title opinion issued by a
31 participating attorney in ~~the form approved in the rules~~ a form
32 acceptable to the division stating the attorney's opinion as to
33 the title. The division shall require evidence of the abstract
34 being brought up-to-date and the abstractor shall retain evidence
35 of the abstract as determined by the ~~board~~ division.

1 Sec. 26. Section 16.92, subsection 1, paragraph d, Code 2025,
2 is amended by striking the paragraph.

3 Sec. 27. Section 16.92, subsection 1, paragraph e, Code 2025,
4 is amended to read as follows:

5 e. "Mortgage" means a mortgage or mortgage lien on an
6 interest in real property in this state given to secure a loan
7 in an original principal amount equal to or less than the maximum
8 principal amount as determined by the division ~~board~~ and adopted
9 by the authority pursuant to rules promulgated under chapter 17A.

10 Sec. 28. Section 16.93, subsection 1, unnumbered paragraph 1,
11 Code 2025, is amended to read as follows:

12 The authority, through the Iowa title guaranty division,
13 may issue a closing protection letter to a person to whom
14 a proposed title guaranty is to be issued, upon the request
15 of the person, if the division issues a commitment for title
16 guaranty or title guaranty certificate. The closing protection
17 letter shall conform to the terms of coverage and form of the
18 instrument as approved by the ~~division~~ board and may indemnify
19 a person to whom a proposed title guaranty is to be issued
20 against loss of settlement funds due to only the following acts
21 of the division's named participating attorney, participating
22 abstractor, or closer:

23 Sec. 29. Section 16.93, subsection 3, Code 2025, is amended
24 to read as follows:

25 3. The division ~~board~~ shall establish the amount of coverage
26 to be provided and may distinguish between classes of property
27 including, but not limited to, residential, agricultural, or
28 commercial, provided that the total amount of coverage provided
29 by the closing protection letter shall not exceed the amount
30 of the commitment or title guaranty to be issued. Liability
31 under the closing protection letter shall be coextensive with
32 liability under the certificate to be issued in connection with
33 a transaction such that payments under the terms of the closing
34 protection letter shall reduce by the same amount the liability
35 under the title guaranty certificate and payment under the title

1 guaranty certificate shall reduce the liability under the terms
2 of the closing protection letter.

3 DIVISION VIII

4 ARTS AND CULTURE

5 Sec. 30. Section 15.108, subsection 7, Code 2025, is amended
6 to read as follows:

7 7. *Cultural affairs.* To develop the state's interest in the
8 areas of the arts, history, and other cultural matters. To carry
9 out this responsibility, the authority shall:

10 a. Accept, receive, and administer grants or other funds or
11 gifts from public or private agencies, including the federal
12 government, for the authority.

13 ~~b. Administer the Iowa cultural trust, as advised and~~
14 ~~assisted by the Iowa arts council, as provided in subchapter II,~~
15 ~~part 30, and do all of the following:~~

16 ~~(1) Develop and adopt by rule criteria for the issuance~~
17 ~~of trust fund credits by measuring the efforts of qualified~~
18 ~~organizations to increase their endowment or other resources~~
19 ~~for the promotion of the arts, history, or the sciences and~~
20 ~~humanities in Iowa. For purposes of this paragraph, "qualified~~
21 ~~organization" means a tax-exempt, nonprofit organization whose~~
22 ~~primary mission is to promote the arts, history, or the sciences~~
23 ~~and humanities in Iowa. If the authority determines that a~~
24 ~~qualified organization has increased the amount of the qualified~~
25 ~~organization's endowment and other resources, the authority shall~~
26 ~~certify the amount of increase in the form of trust fund credits~~
27 ~~to the treasurer, who shall deposit in the Iowa cultural trust~~
28 ~~fund, from moneys received for purposes of the trust fund as~~
29 ~~provided in section 15.479, subsection 2, an amount equal to the~~
30 ~~trust fund credits. If the amount of the trust fund credits~~
31 ~~issued by the authority exceeds the amount of moneys available~~
32 ~~to be deposited in the trust fund as provided in section 15.479,~~
33 ~~subsection 2, the outstanding trust fund credits shall not expire~~
34 ~~but shall be available to draw down additional moneys which~~
35 ~~become available to be deposited in the trust fund as provided~~

1 ~~in section 15.479, subsection 2.~~

2 ~~(2) Develop and implement, in accordance with subchapter~~
3 ~~II, part 30, a grant application process for grants issued to~~
4 ~~qualified organizations.~~

5 ~~(3) Develop and adopt by rule criteria for the approval of~~
6 ~~Iowa cultural trust grants. The criteria shall include but shall~~
7 ~~not be limited to the future stability and sustainability of a~~
8 ~~qualified organization.~~

9 ~~(4) Compile, in consultation with the Iowa arts council, a~~
10 ~~list of grant applications recommended for funding in accordance~~
11 ~~with the amount available for distribution as provided in section~~
12 ~~15.481, subsection 3.~~

13 ~~(5) Monitor the allocation and use of grant moneys by all~~
14 ~~qualified organizations to determine whether moneys are used~~
15 ~~in accordance with the provisions of this paragraph "b" and~~
16 ~~subchapter II, part 30.~~

17 ~~e. b. Design a comprehensive, statewide, long-range plan~~
18 ~~with the assistance of the Iowa arts council to develop the arts~~
19 ~~in Iowa. The authority is designated as the state agency for~~
20 ~~carrying out the plan.~~

21 ~~d. c. By rule, establish Establish advisory groups as~~
22 ~~necessary for the receipt of federal funds or grants or the~~
23 ~~administration of any of the authority's programs.~~

24 ~~e. Develop and implement fee-based educational programming~~
25 ~~opportunities, including preschool programs, related to arts,~~
26 ~~history, and other cultural matters for Iowans of all ages.~~

27 ~~f. Conduct surveys of existing art and cultural programs and~~
28 ~~activities within the state, including but not limited to music,~~
29 ~~theater, dance, painting, sculpture, architecture, and allied~~
30 ~~arts and crafts. The authority shall submit, or include as~~
31 ~~part of the annual report under section 15.107B, a report on the~~
32 ~~survey to the governor and to the general assembly no later than~~
33 ~~ten calendar days after the commencement of each first session~~
34 ~~of the general assembly recommending appropriate legislation or~~
35 ~~other action as the authority deems appropriate.~~

1 ~~g. d. Establish and administer a film office. The purpose~~
2 ~~of the film office is to assist legitimate film, television,~~
3 ~~and video producers in Provide technical assistance for the~~
4 ~~production of film, television, and video projects in the state,~~
5 ~~and to increase the fiscal impact on the state's economy of film,~~
6 ~~television, and video projects produced in the state.~~

7 Sec. 31. Section 15.274, Code 2025, is amended to read as
8 follows:

9 **15.274 Promotional program for national historic landmarks**
10 **and cultural and entertainment districts.**

11 The economic development authority, in cooperation with
12 the state department of transportation, shall establish and
13 administer a program designed to promote knowledge of and
14 access to buildings, sites, districts, structures, and objects
15 located in this state that have been designated by the secretary
16 of the interior of the United States as a national historic
17 landmark, unless the national historic landmark is protected
18 under section 22.7, subsection 20, ~~and certified cultural and~~
19 ~~entertainment districts, as established pursuant to section~~
20 ~~15.438.~~ The program shall be designed to maximize the visibility
21 and visitation of national historic landmarks in this state ~~and~~
22 ~~buildings, sites, structures, and objects located in certified~~
23 ~~cultural and entertainment districts, as established pursuant to~~
24 ~~section 15.438.~~ Methods used to maximize the visibility and
25 visitation of such locations may include the use of tourism
26 literature, signage on highways, maps of the state and cities,
27 and internet sites. For purposes of this section, "highway"
28 means the same as defined in section 325A.1.

29 Sec. 32. Section 15.436, Code 2025, is amended by striking
30 the section and inserting in lieu thereof the following:

31 **15.436 Arts and culture enhancement fund.**

32 1. The economic development authority shall, pursuant to
33 section 15.106A, subsection 1, paragraph "o", establish the arts
34 and culture enhancement fund to be used for the purposes of
35 this section. The fund shall consist of any moneys appropriated

1 by the general assembly for purposes of this section and any
2 other moneys that are lawfully available to the authority.
3 Notwithstanding section 12C.7, subsection 2, interest or earnings
4 on moneys in the fund shall accrue to the authority and shall
5 be used for purposes of this section. Notwithstanding section
6 8.33, moneys in the fund at the end of each fiscal year shall
7 not revert to any other fund but shall remain in the fund for
8 expenditure for subsequent fiscal years.

9 2. The authority shall allocate moneys in the arts and
10 culture enhancement fund in appropriate amounts to be used for
11 the following purposes:

12 a. To provide support to municipal and nonprofit arts and
13 cultural organizations that serve as significant attractions or
14 community resources.

15 b. To support artists and entities that foster artistic and
16 cultural expression, promote lifelong learning and engagement
17 in the arts, advance community development goals, or emphasize
18 Iowa's diverse heritage through the creation, performance, or
19 presentation of artworks.

20 c. To increase access to arts and culture in rural and
21 underserved communities in the state.

22 d. For the promotion of and investment in film, television,
23 and video projects produced in the state.

24 e. To address other goals and priorities as reflected in
25 the comprehensive, statewide, long-range plan designed by the
26 authority with the assistance of the Iowa arts council pursuant
27 to section 15.108, subsection 7.

28 f. For administrative costs related to this section.

29 3. The authority may adopt by rule eligibility and priority
30 criteria for allocation of moneys in the arts and culture
31 enhancement fund.

32 Sec. 33. Section 15.465, subsection 2, Code 2025, is amended
33 to read as follows:

34 2. The term of office of each member of the Iowa arts council
35 is three years. ~~The governor shall designate~~ council may elect

1 a chairperson and a vice chairperson from the members of the
2 council ~~to serve at the pleasure of the governor~~. All vacancies
3 shall be filled for the balance of any unexpired term in the
4 same manner as original appointments. The members of the council
5 shall not receive compensation for their services, but shall
6 be reimbursed for their actual and necessary expenses incurred
7 in the performance of their duties as members of the council.
8 Members may also be eligible for compensation as provided in
9 section 7E.6.

10 Sec. 34. Section 15.466, Code 2025, is amended to read as
11 follows:

12 **15.466 Duties of Iowa arts council.**

13 The Iowa arts council shall review programs to be supported
14 and make recommendations on the programs to the director to
15 ensure that Iowa citizens and communities have access to the
16 cultural, civic, economic, and educational benefits of the arts.
17 The council may solicit public input including but not limited
18 to input on the comprehensive, statewide, long-range plan created
19 by the authority with the assistance of the Iowa arts council
20 pursuant to section 15.108, subsection 7.

21 Sec. 35. Section 15H.6, subsection 3, Code 2025, is amended
22 to read as follows:

23 3. The capacity building activities shall be targeted in
24 communities that are already working with existing community
25 improvement programs, including but not limited to ~~the Iowa~~
26 ~~great places program established under section 15.439~~, the
27 green streets and main street Iowa programs administered by
28 the economic development authority, and disaster remediation
29 activities by communities located within an area declared to be
30 a disaster area in a declaration issued by the president of the
31 United States or the governor.

32 Sec. 36. Section 99F.11, subsection 4, paragraph d,
33 subparagraph (1), Code 2025, is amended to read as follows:

34 (1) Five hundred twenty thousand dollars is appropriated each
35 fiscal year to the economic development authority ~~with one-half~~

1 ~~of the moneys allocated for operational support grants and the~~
2 ~~remaining one-half allocated for the community cultural grants~~
3 ~~program established under for deposit in the arts and culture~~
4 ~~enhancement fund established in section 15.436.~~

5 Sec. 37. REPEAL. Sections 15.437, 15.438, 15.439, 15.440,
6 15.441, 15.476, 15.477, 15.478, 15.479, 15.481, and 15.482, Code
7 2025, are repealed.

8 Sec. 38. TRANSFER OF MONEYS. On the effective date of this
9 division of this Act, all unencumbered and unobligated moneys
10 remaining in the Iowa great places program fund created in
11 section 15.440, the Iowa cultural trust fund created in section
12 15.479, and the Iowa cultural trust grant account created
13 in section 15.482 are transferred to the arts and culture
14 enhancement fund established pursuant to section 15.436, as
15 amended by this division of this Act.

16 DIVISION IX

17 CONFORMING CHANGES

18 Sec. 39. Section 16.6, subsection 4, Code 2025, is amended to
19 read as follows:

20 4. The director may establish administrative divisions within
21 the authority in order to most efficiently and effectively carry
22 out the authority's responsibilities, provided that any creation
23 or modification of authority divisions be established only after
24 consultation with the board ~~of the authority.~~

25 Sec. 40. Section 16.64, subsection 1, Code 2025, is amended
26 to read as follows:

27 1. The authority shall publish a notice of intention to issue
28 bonds or notes. After sixty days from the date of publication
29 of the notice, an action shall not be brought questioning the
30 legality of any bonds or notes or the power of the authority to
31 issue any bonds or notes or to the legality of any proceedings
32 in connection with the authorization or issuance of the bonds
33 or notes after determination by the board ~~of the authority~~ to
34 proceed with the issuance of the bonds or notes.

35 EXPLANATION

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

3 This bill relates to matters under the purview of the economic
4 development authority and the Iowa finance authority including
5 the strategic infrastructure program, brownfield, grayfield, and
6 redevelopment tax credits, community attraction and tourism,
7 vision Iowa, sports tourism marketing, the historic preservation
8 tax credit, homelessness, the title guaranty board, and arts and
9 culture.

10 Division I eliminates the requirement that the Iowa innovation
11 council review and make recommendations on all applications
12 received by the Iowa economic development authority (IEDA) for
13 financial assistance under the Iowa strategic infrastructure
14 program, and instead requires a committee appointed by the IEDA
15 director to conduct a review and make recommendations.

16 Division II repeals the brownfield redevelopment program,
17 fund, and advisory council (council).

18 The bill requires that the amount of a redevelopment tax
19 credit be determined by members of the IEDA appointed by the
20 governor (the board), rather than determined by the board in
21 conjunction with the council as required under current law. The
22 IEDA shall accept and review applications for the redevelopment
23 tax credit and make award recommendations to the board, rather
24 than accept and review applications in conjunction with the
25 council as required under current law. IEDA may engage outside
26 experts to complete a technical, financial, or other review.
27 The bill makes conforming changes related to elimination of the
28 council.

29 Under current law, upon completion of a registered project
30 for redevelopment tax credits, an audit of the project completed
31 by an independent certified public accountant (CPA) shall be
32 submitted to the IEDA. Under the bill, the investor shall engage
33 a CPA to conduct an examination of the project and submit the
34 examination, and a statement of the amount of final qualifying
35 investments, to the IEDA. Upon review of the examination and

1 statement, the IEDA may issue a tax credit certificate to the
2 investor.

3 On the effective date of the bill, all unencumbered and
4 unobligated moneys remaining in the brownfield redevelopment fund
5 are transferred to a fund or funds established pursuant to Code
6 section 15.335B, as determined by the IEDA.

7 Division III eliminates the requirement that an applicant
8 awarded financial assistance under both the vision Iowa program
9 and the community attraction and tourism program provide and
10 pay at least 50 percent of the cost of a standard medical
11 insurance plan for all full-time employees after the completion
12 of the project for which financial assistance was received. This
13 division applies to applicants awarded financial assistance under
14 both programs on or after the effective date of the bill, and
15 applies retroactively to applicants awarded financial assistance
16 under both programs prior to the effective date of the bill.

17 Under division IV, the director of the IEDA shall appoint a
18 review committee composed of members with relevant expertise to
19 review community attraction and tourism program applications and
20 sports tourism marketing and infrastructure program applications.
21 Under current law, the review committee is composed of five
22 members of the IEDA board.

23 Division V requires, in addition to existing requirements
24 for the historic preservation tax credit program (historic tax
25 program) under current law, for a project for the rehabilitation
26 of property to be considered a "qualified rehabilitation
27 project" (project), that the property not be a single-family
28 dwelling unit, unless the project will result in two or more
29 new single-family dwelling units that were not available for
30 occupancy for at least six months prior to the project, and
31 the dwelling units are located in the same neighborhood as
32 confirmed by the IEDA. The single-family dwelling units must be
33 made available for occupancy as a result of the project. The
34 IEDA may promulgate rules that specify the criteria used to
35 determine if a property is a single-family dwelling unit, and to

1 determine if a property is a qualified rehabilitation project.

2 Under current law, upon successful registration of a
3 project under the historic tax program, the eligible taxpayer
4 (taxpayer) shall enter into an agreement with the IEDA that
5 contains mutually agreeable terms and conditions including the
6 commencement date of the project, which shall not be later than
7 the end of the fiscal year in which the agreement is entered
8 into, and the completion date of the project, which shall be
9 within 36 months of the commencement date. Under the bill,
10 the date by which the project must commence shall be no later
11 than one calendar year from the registration date, except that
12 upon application of the taxpayer the IEDA may extend the date
13 of commencement up to 12 additional months. The date by which
14 the project must be completed shall be no later than three
15 consecutive calendar years from the registration date, except
16 that upon application of the taxpayer, the IEDA may extend the
17 date of commencement up to another 12 months. The project is
18 complete as of the date the property is placed in service.
19 Upon application of the taxpayer made prior to the expiration of
20 the 12-month extension, the IEDA may extend the date by which
21 the project must be completed up to an additional 12 months.
22 The taxpayer must substantiate that the requested extension is
23 warranted due to extenuating circumstances.

24 Under the bill, the IEDA may grant historic preservation
25 tax credits beyond the aggregate tax credit award limit in
26 one fiscal year if, during that fiscal year, the IEDA receives
27 an application for a project that has qualified rehabilitation
28 expenditures that, if registered, would make the taxpayer
29 eligible for tax credits of \$10 million or more. The IEDA is
30 then permitted to award tax credits during that fiscal year not
31 to exceed 20 percent more than the maximum aggregate tax credit
32 award limit. Such tax credits awarded shall be considered for
33 purposes of calculating the maximum aggregate tax credit award
34 limit in the immediately succeeding fiscal year.

35 Under division VI, the Iowa finance authority (IFA) may adopt

1 rules to carry out the duties of IFA related to homelessness, and
2 may establish internal rules of procedure, consistent with the
3 requirements of the federal McKinney-Vento Homeless Assistance
4 Act. Under current law, IFA must adopt rules.

5 Division VII eliminates the title guaranty division board.
6 The powers of the title guaranty division relating to the
7 issuance of title guaranties are vested in the IFA board of
8 directors. The director of the IFA shall appoint an attorney as
9 director of the division, and the division director's appointment
10 and compensation shall be exempt from the merit system. The bill
11 makes conforming changes to Code sections 16.1A, 16.91, 16.92,
12 and 16.93.

13 Division VIII is related to arts and culture. Under current
14 law, the IEDA is responsible for the Iowa cultural trust,
15 including the issuance of trust fund credits for the promotion
16 of the arts, history, or the sciences and humanities; the
17 issuance of grants for qualified organizations; developing and
18 implementing fee-based educational programming opportunities;
19 conducting surveys of existing art and cultural programs
20 and activities within the state; and the establishment and
21 administration of a film office. The bill maintains the
22 responsibility for the IEDA to accept, receive, and administer
23 grants or other funds or gifts from public or private agencies;
24 to design and carry out a comprehensive, statewide, long-range
25 plan (plan) with the assistance of the Iowa arts council to
26 develop the arts in Iowa; and to establish advisory groups for
27 the receipt of federal funds or grants or the administration
28 of the IEDA's programs. Under the bill, the IEDA is no longer
29 required to establish and administer a film office. Instead, the
30 IEDA is responsible for providing technical assistance for the
31 production of film, television, and video projects in the state.

32 The bill eliminates certified cultural and entertainment
33 districts. The bill eliminates the cultural grant programs under
34 current law, which requires the IEDA to establish a grant program
35 for cities and nonprofit, tax-exempt community organizations for

1 the development of community programs that provide local jobs for
2 Iowa residents and promote Iowa's historic, ethnic, and cultural
3 heritages through the development of festivals, music, drama,
4 cultural programs, or tourist attractions. Additionally, the
5 IEDA is required to establish a grant program which provides
6 general operating budget support to major, multidisciplinary
7 cultural organizations that demonstrate cultural and managerial
8 excellence on a continuing basis to the citizens of Iowa.

9 Instead, the bill creates the arts and culture enhancement
10 fund (enhancement fund), under which the IEDA shall allocate
11 moneys to the fund to provide support to municipal and nonprofit
12 arts and cultural organizations that serve as significant
13 attractions or community resources; to support artists and
14 entities that foster artistic and cultural expression, promote
15 lifelong learning and engagement in the arts, advance community
16 development goals, or emphasize Iowa's diverse heritage through
17 artwork; to increase access to arts and culture in rural and
18 underserved communities; for the promotion of and investment in
19 film, television, and video projects produced in the state; and
20 to address other goals and priorities in the plan designed by the
21 IEDA. The enhancement fund consists of moneys appropriated by the
22 general assembly and any other moneys that are lawfully available
23 to the IEDA. Each fiscal year, \$520,000 is appropriated from
24 gambling and sports wagering taxes to the IEDA for deposit in
25 the enhancement fund. The IEDA may establish and adopt by rule
26 eligibility and priority criteria for allocation of moneys in the
27 enhancement fund.

28 The Iowa arts council (arts council) may elect a chairperson
29 and vice chairperson from the members of the arts council,
30 rather than being designated by the governor under current law.
31 In addition to duties under current law, the arts council is
32 required to recommend programs to ensure that Iowa citizens and
33 communities have access to the cultural, civic, economic, and
34 educational benefits of the arts.

35 The bill repeals Code sections 15.437 through 15.441, 15.476

1 through 15.479, 15.481, and 15.482, eliminating the Iowa cultural
2 trust Act, including the Iowa cultural trust, trust fund, grant
3 account, and board of trustees, and eliminates the arts and
4 cultural conferences and caucuses, the cultural and entertainment
5 districts, the Iowa great places program and fund, and the
6 culture, history, and arts teams program.

7 On the effective date of this division of the bill, all
8 unencumbered and unobligated moneys remaining in the Iowa great
9 places program fund, Iowa cultural trust fund, and Iowa cultural
10 trust grant account are transferred to the arts and culture
11 enhancement fund established in the bill.

12 Division IX makes conforming changes to Code sections 16.6 and
13 16.64.

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