

CHAPTER 1281
IOWA HOUSING FINANCE AUTHORITY
S.F. 2332

AN ACT relating to the Iowa finance authority.*

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 220.1, subsection 2, Code Supplement 1983, is amended to read as follows:

2. "Low or moderate income families" means families who cannot afford to pay enough to cause private enterprise in their locality to build an adequate supply of decent, safe, and sanitary dwellings for their use, and also includes, but is not limited to, (1) elderly families, families in which one or more persons are handicapped or disabled, lower income families and very low income families, and (2) families purchasing or renting qualified residential housing.

Sec. 2. Section 220.1, subsection 28, paragraph b, Code Supplement 1983, is amended to read as follows:

b. It has either twenty or fewer full-time equivalent positions or not more than the equivalent of ~~one~~ three million dollars in annual gross revenues in as computed, for the preceding fiscal year or as the average of the three preceding fiscal years.

Sec. 3. Section 220.1, subsection 28, unnumbered paragraph 2, Code Supplement 1983, is amended to read as follows:

For purposes of this definition "dominant in its field of operation" means having more than twenty full-time equivalent positions and more than ~~one~~ three million dollars in annual gross revenues, and "affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least twenty percent owned by a business dominant in its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

Sec. 4. Section 220.1, subsection 32, first unnumbered paragraph, Code Supplement 1983, is amended to read as follows:

The authority shall establish by rule further definitions applicable to this chapter, and clarification of the definitions in this section, as necessary to assure eligibility for funds available under federal housing laws, or to assure complying with federal tax laws relating to the issuance of tax exempt mortgage subsidy bonds pursuant to section 103A of the Internal Revenue Code, as defined in section 422.3, or relating to the issuance of tax exempt residential rental property bonds for qualified residential housing under section 103 of the Internal Revenue Code.

Sec. 5. Section 220.1, Code Supplement 1983, is amended by adding the following new subsection:

NEW SUBSECTION. "Qualified residential housing" means any of the following:

a. Owner-occupied residences purchased in a manner which satisfies the requirements contained in section 103A of the Internal Revenue Code in order to be financed with tax exempt mortgage subsidy bonds.

*According to enrolled Act

b. Residential property qualifying pursuant to section 103(b)(4) of the Internal Revenue Code to be financed with tax exempt residential rental property bonds.

c. Housing for low or moderate income families, elderly families, and families which include one or more persons who are handicapped or disabled.

Sec. 6. Section 220.2, subsection 1, Code 1983, is amended to read as follows:

1. The Iowa housing finance authority is established, and constituted a public instrumentality and agency of the state exercising public and essential governmental functions, ~~established to undertake programs which assist in attainment of adequate housing for low or moderate income families, elderly families, and families which include one or more persons who are handicapped or disabled, and to undertake the Iowa homesteading program and the small business loan program.~~ The powers of the authority ~~shall be~~ are vested in and shall be exercised by a board of nine members appointed by the governor subject to confirmation by the senate. No more than five members shall belong to the same political party. As far as possible the governor shall include within the membership persons who represent community and housing development industries, housing finance industries, the real estate sales industry, elderly families, minorities, lower income families, very low income families, handicapped and disabled families, average taxpayers, local government, and any other person specially interested in community housing.

Sec. 7. Section 220.26, subsection 1, Code Supplement 1983, is amended to read as follows:

1. The authority may issue its negotiable bonds and notes in principal amounts as, in the opinion of the authority, are necessary to provide sufficient funds for achievement of its corporate purposes, the payment of interest on its bonds and notes, the establishment of reserves to secure its bonds and notes, and all other expenditures of the authority incident to and necessary or convenient to carry out its purposes and powers. However, the authority ~~may~~ shall not have a total principal amount of bonds and notes outstanding at any time in excess of ~~five~~ six hundred ~~fifty~~ million dollars plus a total of fifty million dollars for property improvement loans to finance solar and other renewable energy systems in housing as authorized by section 220.37 and to finance loans to provide solar and other renewable energy systems for and to increase the energy efficiency of small businesses under the Iowa small business loan program. ~~One~~ Two hundred ~~fifty~~ million dollars of the total principal amount of bonds and notes may be issued pursuant to the small business loan program. The bonds and notes shall be deemed to be investment securities and negotiable instruments within the meaning of and for all purposes of the uniform commercial code.

Sec. 8. Section 220.8, Code 1983, is repealed.

Approved May 14, 1984