Red Tape Review Rule Report
(Due: September 1, 2026)

Department Name:	IEDA	**Date:**	6/29/26	**Total Rule Count:**	6
IAC #:	261	**Chapter/ SubChapter/ Rule(s):**	Chapter 411	**Iowa Code Section Authorizing Rule:**	15.121
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of chapter 411 is to describe the responsibilities and policies of the state historic preservation officer (SHPO) and staff of the SHPO relating to the federal investment tax credit for rehabilitation of certified historic structures.

Is the benefit being achieved? Please provide evidence.

Yes. SHPO is able to efficiently administer its responsibilities related to the credit.

What are the costs incurred by the public to comply with the rule?

Entities applying for tax credits may require staff time to complete an application. Entities that receive tax credits may similarly incur costs to comply with reporting and monitoring requirements of the credit. Some applicants and recipients may choose to rely on an external service provider to complete these tasks. The amount of the costs will vary, depending on the compensation of staff or service providers involved.

What are the costs to the agency or any other agency to implement/enforce the rule?

Staff time is required to review and prepare applications for approval and communicate with program applicants, recipients, and the National Park Service (NPS). NPS administers the credit at the federal level.

Do the costs justify the benefits achieved? Please explain.

Yes. Only entities and individuals that will potentially benefit from the tax credit incur any costs. The costs to the state to administer the tax credit are proportional to the activities incented.

Are there less restrictive alternatives to accomplish the benefit? ☐ **YES** ☒ **NO**
If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The application and administrative requirements of the rules are no more than necessary to implement the purposes of the program.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Yes the chapter should be updated to be clearer and more concise throughout. Much of the content of the chapter is duplicative of federal statute and regulations. The chapter should be focused on SHPO's responsibilities as to the credit.

Rule 411.1 should be updated to clarify the availability of the federal tax credit and eliminate redundant descriptions of the tax credit process.

A new rule should be added with definitions for clarity.

A new rule should be added to specify the role of SHPO in the tax credit process.

A new rule should be added to specify that tax credit applicants must utilize established forms and instructions from SHPO and NPS.

A new rule should be added to specify that references to United States Code in the chapter are as of the effective date of the rulemaking to readopt the chapter.

The implementation sentence should be updated to specify that the chapter implements 26 U.S.C. 47, the portion of the Internal Revenue Code relating to the credit.

RULES PROPOSED FOR REPEAL (list rule number[s]):

411.2
411.3
411.4
411.5
411.6

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 411
FEDERAL INVESTMENT TAX CREDIT PROGRAM

261—411.1(303) Tax Credit. Federal income tax benefits for rehabilitation of certified historic structures are available pursuant to 26 U.S.C. § 47.

261—411.2(15) Definitions. For purposes of this chapter, unless the context otherwise requires:

"Certified historic structure" means the same as defined in 26 U.S.C. § 47(c)(3).

"Part 1 application" means an application submitted to SHPO to determine whether a property is historically significant.

"Part 2 application" means an application submitted to SHPO to determine whether the proposed rehabilitation work meets the federal standards.

"Part 3 application" means an application submitted to SHPO to determine whether a project has complied with applicable laws, rules and regulations, including federal standards, and is therefore eligible for a tax credit.

"State historic preservation officer" or *"SHPO"* means the officer appointed and certified pursuant to Iowa Code section 15.121.

261—411.3(15) Responsibilities.

411.3(1) Applications for the credit are reviewed and commented on by the SHPO, who makes recommendations to the Secretary of the Interior for final approval. Upon completion, the work is certified by the Secretary of the Interior for the taxpayer to receive benefits pursuant to federal regulations.

411.3(2) The SHPO will also do all of the following:

a. Serve as first point of contact for property owners seeking the credit.

b. Provide application forms, regulations, information on appropriate treatments and technical assistance to property owners seeking the credit.

c. Advise applicants for the credit on rehabilitation projects and make site visits.

261—411.4(15) Applications. All applications and other filings related to the program shall be on such forms and in accordance with such instructions as may be established by the National Park Service and the SHPO. Information about the program, including a link to the online applications and instructions, may be obtained by visiting the authority's website. An application shall not be considered submitted for review until the application is complete and all required supporting documentation and information are provided. SHPO review of Part 1, Part 2, and Part 3 applications, including amendments thereto, will generally occur within 30 days of receipt.

261—411.5(15) References. All references to the United States Code in this chapter are as in effect on [effective date of rulemaking].

These rules are intended to implement Iowa Code section 15.121 and 26 U.S.C. § 47.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	**1**
Proposed word count reduction after repeal and/or re-promulgation	**702**
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	**19**

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.