

Red Tape Review Rule Report (Due: September 1, 2023)

Department Name:	Revenue	Date:	September 1, 2023	Total Rule Count:	23
IAC #:	701	Chapter/ SubChapter/ Rule(s):	219	Iowa Code Section Authorizing Rule:	421.14 422.68 423.42
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The rule is intended to help the taxpayers understand the requirements and responsibilities related to their compliance with Iowa sales and use tax in relation to construction activities.

Is the benefit being achieved? Please provide evidence.

To the extent the Department proposes to re-promulgate the rules, the Department has determined that each re-promulgated rule aids the public in better understanding the requirements and responsibilities related to taxpayer compliance with Iowa sales and use tax related to construction activities. The evidence for the benefit of the rules is demonstrated from the text of the rules themselves and the greater certainty they provide taxpayers.

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

There is no cost to comply with these rules. Any costs to comply are associated with the underlying statute.

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

There are no costs to the agency of implementing the rules beyond those that would otherwise be required to administer the statute. There are tax administration expenses associated with administering any tax statute, including return processing and enforcement program work.

Do the costs justify the benefits achieved? Please explain.

There are no costs of the rules themselves. The cost of inaction would be confusion as to the requirements and responsibilities related to taxpayer compliance with Iowa sales and use tax related to construction activities.

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 rules have been revised, where possible, to rescind obsolete, unnecessary, and duplicative statutory text. The rules that will be re-promulgated have been determined to be necessary.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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Some of the rules in this chapter contain obsolete, outdated, duplicative statutory, or unnecessary language.

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

None.

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

219.1 is amended to remove unnecessary language and restructured to provide clarity and for better organization.

219.2 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.3 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.4 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.5 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.6 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.7 is amended to remove unnecessary and obsolete language, reworded, when necessary to provide clarity. Rule 281.3 is being re-promulgated as an addition into this rule, with amendments for clarity, as the subject matters more closely align.

219.8 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.9 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.10 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.11 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.12 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.13 is amended to remove unnecessary language and to update rule references and the rule is reworded, where necessary, to provide clarity.

219.14 is amended to update rule references.

219.15 no change.

219.16 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.17 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.18 no change.

219.19 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.20 is amended to remove unnecessary language and the rule is reworded, where necessary, to provide clarity.

219.21 is amended to remove unnecessary language.

219.22 is being re-promulgated, with amendments to remove restrictive language, into this chapter as the subject matter of that rule aligns with this chapter.

219.23 is amended to include a reference to another rule chapter.

The text of the proposed rules will be published with the Regulatory Analysis in the Iowa Administrative Code Bulletin in the coming months.

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

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	199
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	-2

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

The Department is considering recommending an amendment to Iowa Code section 423.2(1)“b” in an effort to improve and clarify the provision consistent with legislative intent.