IOWA ADMINISTRATIVE BULLETIN

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PREFACE

The Iowa Administrative Bulletin is published biweekly pursuant to Iowa Code chapters 2B and 17A and contains Notices of Intended Action and rules adopted by state agencies.

It also contains Proclamations and Executive Orders of the Governor which are general and permanent in nature; Regulatory Analyses; effective date delays and objections filed by the Administrative Rules Review Committee; Agenda for monthly Administrative Rules Review Committee meetings; and other materials deemed fitting and proper by the Administrative Rules Review Committee.

The Bulletin may also contain public funds interest rates [12C.6]; usury rates [535.2(3)"a"]; agricultural credit corporation maximum loan rates [535.12]; and other items required by statute to be published in the Bulletin.

PLEASE NOTE: Underscore indicates new material added to existing rules; ~~strike through~~ indicates deleted material.

JACK EWING, Administrative Code Editor Telephone: 515.281.6048 Email: Jack.Ewing@legis.iowa.gov
Publications Editing Office (Administrative Code) Telephone: 515.281.3355 Email: AdminCode@legis.iowa.gov

CITATION of Administrative Rules

The Iowa Administrative Code shall be cited as (agency identification number) IAC (chapter, rule, subrule, paragraph, subparagraph, or numbered paragraph).

This citation format applies only to external citations to the Iowa Administrative Code or Iowa Administrative Bulletin and does not apply to citations within the Iowa Administrative Code or Iowa Administrative Bulletin.

441 IAC 79	(Chapter)
441 IAC 79.1	(Rule)
441 IAC 79.1(1)	(Subrule)
441 IAC 79.1(1)"a"	(Paragraph)
441 IAC 79.1(1)"a"(1)	(Subparagraph)
441 IAC 79.1(1)"a"(1)"1"	(Numbered paragraph)

The Iowa Administrative Bulletin shall be cited as IAB (volume), (number), (publication date), (page number), (ARC number).

IAB Vol. XII, No. 23 (5/16/90) p. 2050, ARC 872A

Note: In accordance with Iowa Code section 2B.5A, a rule number within the Iowa Administrative Code includes a reference to the statute which the rule is intended to implement: 441—79.1(249A).

The Administrative Rules Review Committee will hold its regular, statutory meeting on Monday, September 14, 2026, at 10 a.m. in Room 116, State Capitol, Des Moines, Iowa. For more information, contact Jack Ewing at jack.ewing@legis.iowa.gov. The following rules will be reviewed:

NOTE: See also Agenda published in the August 19, 2026, Iowa Administrative Bulletin.

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ADMINISTRATIVE RULES REVIEW COMMITTEE MEMBERS

Regular, statutory meetings are held each month at the seat of government as provided in Iowa Code section 17A.8. A special meeting may be called by the Chair at any place in the state and at any time.

Senator Kara Warme
Chair
Senate District 26

Representative Chad Ingels
Vice Chair
House District 68

Senator Mike Bousselot
Senate District 21

Representative Austin Harris
House District 26

Senator Dan Dawson
Senate District 10

Representative Joshua Meggers
House District 54

Senator Janet Petersen
Senate District 18

Representative Amy Nielsen
House District 85

Senator Cindy Winckler
Senate District 49

Representative Rick Olson
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Capitol, Room 18
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Schedule for Rulemaking—2026

REGULATORY ANALYSIS SUBMISSION DEADLINE	REGULATORY ANALYSIS PUB. DATE	HEARING AND COMMENTS 20 DAYS	FIRST † POSSIBLE NOTICE SUBMISSION DEADLINE	NOTICE PUB. DATE	HEARING AND COMMENTS 20 DAYS	FIRST POSSIBLE ADOPTION DATE 35 DAYS	FIRST POSSIBLE ADOPTED FILING SUBMISSION DEADLINE	ADOPTED PUB. DATE	FIRST POSSIBLE EFFECTIVE DATE 35 DAYS	FIRST POSSIBLE EXPIRATION OF NOTICE 180 DAYS
Dec. 17 '25	Jan. 7	Jan. 27	Jan. 29	Feb. 18	Mar. 10	Mar. 25	Mar. 26	Apr. 15	May 20	Aug. 17
Dec. 31 '25	Jan. 21	Feb. 10	Feb. 12	Mar. 4	Mar. 24	Apr. 8	Apr. 9	Apr. 29	June 3	Aug. 31
Jan. 15	Feb. 4	Feb. 24	Feb. 26	Mar. 18	Apr. 7	Apr. 22	Apr. 23	May 13	June 17	Sep. 14
Jan. 29	Feb. 18	Mar. 10	Mar. 12	Apr. 1	Apr. 21	May 6	**May 6**	May 27	July 1	Sep. 28
Feb. 12	Mar. 4	Mar. 24	Mar. 26	Apr. 15	May 5	May 20	May 21	June 10	July 15	Oct. 12
Feb. 26	Mar. 18	Apr. 7	Apr. 9	Apr. 29	May 19	June 3	June 4	June 24	July 29	Oct. 26
Mar. 12	Apr. 1	Apr. 21	Apr. 23	May 13	June 2	June 17	**June 17**	July 8	Aug. 12	Nov. 9
Mar. 26	Apr. 15	May 5	**May 6**	May 27	June 16	July 1	July 2	July 22	Aug. 26	Nov. 23
Apr. 9	Apr. 29	May 19	May 21	June 10	June 30	July 15	July 16	Aug. 5	Sep. 9	Dec. 7
Apr. 23	May 13	June 2	June 4	June 24	July 14	July 29	July 30	Aug. 19	Sep. 23	Dec. 21
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June 4	June 24	July 14	July 16	Aug. 5	Aug. 25	Sep. 9	Sep. 10	Sep. 30	Nov. 4	Feb. 1 '27
June 17	July 8	July 28	July 30	Aug. 19	Sep. 8	Sep. 23	Sep. 24	Oct. 14	Nov. 18	Feb. 15 '27
July 2	July 22	Aug. 11	Aug. 13	Sep. 2	Sep. 22	Oct. 7	Oct. 8	Oct. 28	Dec. 2	Mar. 1 '27
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Dec. 30	Jan. 20 '27	Feb. 9 '27	Feb. 11 '27	Mar. 3 '27	Mar. 23 '27	Apr. 7 '27	Apr. 8 '27	Apr. 28 '27	June 2 '27	Aug. 30 '27

PLEASE NOTE:

Rules will not be accepted by the Publications Editing Office after **12:00 p.m. noon** on a submission deadline unless prior approval has been received from the Administrative Rules Coordinator and the Administrative Code Editor. If the submission deadline falls on a legal holiday, submissions made on the following business day will be accepted.

†To allow time for review by the Administrative Rules Coordinator prior to the Notice submission deadline, Notices should generally be submitted in RMS four or more business days in advance of the deadline. The first possible Notice submission deadline noted above may not allow sufficient time for this. **Agencies should plan accordingly.**

****Bold and asterisks indicate change of regular submission deadline****

The following list will be updated as changes occur.

"Umbrella" agencies and elected officials are set out below at the left-hand margin in CAPITAL letters.

Divisions (boards, commissions, etc.) are indented and set out in lowercase type under their statutory "umbrellas."

Other autonomous agencies are included alphabetically in SMALL CAPITALS at the left-hand margin.

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  Soil Conservation and Water Quality Division[27]
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IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]
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EDUCATION DEPARTMENT[281]

Regulatory Analysis

Notice of Intended Action to be published: rule 281—5.4(22,256)
"Public Records and Fair Information Practices"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 22.11
State or federal law(s) implemented by the rulemaking: Iowa Code section 22.11

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Grimes State Office Building, Room B50 Via videoconference: meet.google.com/bqq-inqz-hha Or dial: +1 609.438.1406 PIN: 271 490 390#

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Education no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Thomas A. Mayes
Rules Coordinator, Iowa Department of Education
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Purpose and Summary

This proposed rulemaking makes technical corrections in light of the adoption of Uniform Rules on Agency Procedure.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no known costs of this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Iowans will benefit from the clarity of this rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is no known quantitative impact.

- **Qualitative description of impact:**

There is no known qualitative impact.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Implementation costs are expected to be minimal and absorbed within existing agency resources.

- **Anticipated effect on State revenues:**

The proposed rulemaking is not anticipated to have a direct effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The underlying legislation requires rulemaking.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The underlying legislation requires rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No other methods were seriously considered by the Department since the underlying legislation requires rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Alternative methods were rejected. The underlying legislation requires rulemaking.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking is not expected to have an impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend rule 281—5.4(22,256), introductory paragraph, as follows:

281—5.4(22,256) Personally identifiable information. This rule describes the nature and extent of personally identifiable information as defined in rule 7—2505.1(17A,22) that is collected, maintained, and retrieved by the agency by personal identifier in record systems ~~as defined in rule X.1(17A,22)~~. For each record system, this rule describes the legal authority for the collection of that information and indicates whether a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with that in another record system. The record systems maintained by the agency include:

RA 26-263

EDUCATION DEPARTMENT[281]

Regulatory Analysis

Notice of Intended Action to be published: rule 281—37.4(280)
"Extracurricular Athletic Activity Conference for Member Schools"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 280.13E
State or federal law(s) implemented by the rulemaking: Iowa Code section 280.13E

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Grimes State Office Building, Room B50 Via videoconference: meet.google.com/bqq-inqz-hha Or dial: +1 609.438.1406 PIN: 271 490 390#

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Education no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Thomas A. Mayes
Rules Coordinator, Iowa Department of Education
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Purpose and Summary

Due to the nature of the underlying statute, this proposed rulemaking makes clear that the waiver of provisions of the Uniform Rules on Agency Procedure do not apply to this chapter.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no known costs of this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Iowans will benefit from the clarity of this rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is no known quantitative impact.

- **Qualitative description of impact:**

There is no known qualitative impact.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Implementation costs are expected to be minimal and absorbed within existing agency resources.

- **Anticipated effect on State revenues:**

The proposed rulemaking is not anticipated to have a direct effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The underlying legislation requires rulemaking.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The underlying legislation requires rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No other methods were seriously considered by the Department since the underlying legislation requires rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Alternative methods were rejected. The underlying legislation requires rulemaking.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking is not expected to have an impact on small business.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** rule 281—37.4(280):

281—37.4(280) Waivers not available. The provisions of 7—Chapter 2504 do not apply to this chapter.

RA 26-264

HUMAN SERVICES DEPARTMENT[441]

Regulatory Analysis

Notice of Intended Action to be published: 441—Chapter 62
"Rent Reimbursement"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 425.37

State or federal law(s) implemented by the rulemaking: Iowa Code sections 425.16 through 425.37, 425.39, and 425.40 and 2026 Iowa Acts, Senate File 2472, division VII

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 10 a.m.	Microsoft Teams Meeting ID: 299 521 373 675 206 Passcode: Dq6qm6ow

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

This proposed rulemaking eliminates outdated language and codifies the Department's practice that electronic applications received after 4:30 p.m. will be counted as having been received on the next business day. In addition, this proposed rulemaking implements 2026 Iowa Acts, Senate File 2472, division VII, by reflecting the increase in the maximum reimbursement amount from $1,000 to $1,500, beginning with claims for reimbursement for property tax paid during 2026.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs associated with this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Iowans applying for rent reimbursement will benefit from the clarity provided in this proposed rulemaking. In addition, some eligible Iowans will receive a higher rent reimbursement payment because of the underlying legislation.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

In 2025, the Department received almost 25,000 rent reimbursement claims.

- **Qualitative description of impact:**

Iowans applying for rent reimbursement will benefit from the clarity provided in this proposed rulemaking. In addition, some eligible Iowans will receive a higher rent reimbursement payment because of the underlying legislation.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department incurs personnel and other administrative costs associated with the program outlined in this proposed rulemaking.

- **Anticipated effect on State revenues:**

This proposed rulemaking has no impact on State revenues beyond Item 2, which implements 2026 Iowa Acts, Senate File 2472, division VII, which increases the maximum amount of rent reimbursement a claimant can receive from $1,000 to $1,500. The Legislative Services Agency estimates an approximate $300,000 increase in the amount appropriated beginning in SFY 2027.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Rulemaking is authorized under Iowa Code section 425.37 and necessitated by 2026 Iowa Acts, Senate File 2472, division VII.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend rule 441—62.1(425), introductory paragraph, as follows:

441—62.1(425) Eligible claimants. ~~This rule is effective for rent reimbursement claims received by the department on or after January 1, 2023.~~

ITEM 2. Amend subrule 62.2(3) as follows:

62.2(3) The claims are to be based on the actual property tax due and rent constituting property tax paid, with a combined maximum of ~~$1,000~~ $1,500 upon which the credit and reimbursement can be calculated.

EXAMPLE: $800 property tax due
~~$400~~ $900 rent constituting property taxes paid

a. No change.

b. The claim form for calculating the rent reimbursement must reflect only the remaining ~~$200~~ $700 of the ~~$1,000~~ $1,500 maximum allowance.

c. No change.

ITEM 3. Rescind rule 441—62.16(425) and adopt the following **new** rule in lieu thereof:

441—62.16(425) Time for filing a claim.

62.16(1) Claims received after 4:30 p.m. central time Monday through Friday or on a paid holiday, including any paid vacation days granted to state employees by the governor of the state of Iowa, will be considered to be received by the department on the next business day. For the purposes of this rule, "paid holiday" means the same as described in Iowa Code section 1C.2(1).

62.16(2) The granting of an extension of time for filing a claim for reimbursement does not extend the time within which or the dates on or by which eligibility requirements must be satisfied.

This rule is intended to implement Iowa Code section 425.20.

RA 26-265

HUMAN SERVICES DEPARTMENT[441]

Regulatory Analysis

Notice of Intended Action to be published: 441—Chapter 81
"NATCEP Updates"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 249A

State or federal law(s) implemented by the rulemaking: Iowa Code chapter 249A and 42 CFR Sections 483.151, 483.152, 483.154, and 483.156

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 10 a.m.	Microsoft Teams Meeting ID: 299 521 373 675 206 Passcode: Dq6qm6ow

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

This proposed rulemaking implements federal updates to the Nurse Aid Training and Competency Evaluation Programs (NATCEP) by amending Chapter 81 to update the date certain for internal references to 42 CFR Sections 483.151, 483.152, 483.154, and 483.156. This proposed rulemaking also restores a student-to-teacher ratio to help ensure the quality of clinical instruction provided to nurse aide trainees.

The Centers for Medicare and Medicaid Services (CMS) issued a policy clarification memorandum in April 2026, updating training, supervision, and instructor qualifications for NATCEP. Because NATCEP is State-approved under federal law (42 CFR Part 483, Subpart D), each State must update its own NATCEP regulations and approval processes to align with CMS's clarified requirements. States are responsible for implementing these changes in their own statutes, rules, and program approvals.

Iowa addresses CMS's NATCEP requirements in Chapter 81 by referencing the applicable federal regulations with a date certain. The current date certain used in Chapter 81 is August 1, 2024. As such, there is a need to update that date certain to ensure that the new federal requirements apply.

This proposed rulemaking also reinstates a student-to-teacher ratio of one registered nurse or licensed practical nurse assistant to every 15 students within a clinical training setting. This

requirement was inadvertently removed during the 2024 Red Tape Review since it was thought to be covered by referencing the federal regulation. Reestablishing this student-to-teacher ratio will help ensure the quality of the clinical portion of nurse aide training.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs associated with this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Residents of facilities who receive reimbursement from CMS and their families will benefit from the updated requirements in this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The Department does not currently have any quantitative information related to the number of individuals who may be impacted in the future by this proposed rulemaking.

- **Qualitative description of impact:**

This proposed rulemaking is intended to update the dates certain used in referencing federal regulations, as well as to restore a student-to-teacher ratio for clinical instruction.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department may incur personnel and other administrative costs associated with this proposed rulemaking.

- **Anticipated effect on State revenues:**

This proposed rulemaking has no impact on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The proposed rulemaking is appropriate to effectuate CMS's 2026 policy clarification memo.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **81.13(2)"e"** as follows:

e. Withdrawal of approval. The department of inspection, appeals, and licensing will follow the provision of ~~42 CFR 483.151(e) (as amended to August 1, 2024)~~ 42 CFR 483.151(f) as amended to January 1, 2027, regarding withdrawals of approvals.

ITEM 2. Amend subrule 81.13(3) as follows:

81.13(3) *Requirements for approval of a nurse aide training and competency evaluation program.* The department has designated the department of inspections, appeals, and licensing to approve required nurse aide training and competency evaluation programs. Policies and procedures governing approval of the programs are set forth in 42 CFR 483.152 ~~(as amended to August 1, 2024)~~ as amended to January 1, 2027.

a. to *c.* No change.

d. Clinical setting student-to-teacher ratio. The ratio of department of inspections, appeals, and licensing-approved instructors to students shall not exceed one registered nurse, or licensed practical nurse functioning as an assistant to a registered nurse, who is in the proximate area in the clinical setting, for every 15 students in the clinical setting.

ITEM 3. Amend subrule 81.13(4) as follows:

81.13(4) *Nurse aide competency evaluation.* Nurse aid competency evaluation program shall be administered in accordance with 42 CFR 483.154 ~~(as amended to August 1, 2024)~~ as amended to January 1, 2027.

a. to *d.* No change.

ITEM 4. Amend paragraph **81.13(5)"a"** as follows:

a. Establishment of registry. The department of inspections, appeals, and licensing shall establish and maintain a registry of nurse aides in accordance with 42 CFR 483.156 ~~(as amended to August 1, 2024)~~ as amended to January 1, 2027. In addition, the registry shall contain a record of known convictions by a court of law of a person convicted of abuse, neglect, mistreatment, or misappropriation of resident property.

RA 26-267

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapter 655
"Standards of Practice and Principles of Medical Ethics"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 147, 148 and 272C

State or federal law(s) implemented by the rulemaking: 2026 Iowa Acts, House File 2676, and Iowa Code chapter 148

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9:30 a.m.	6200 Park Avenue, Suite 100 Des Moines, Iowa Information on virtual participation will be available on the Department of Inspections, Appeals, and Licensing's website prior to the hearing.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Laura Berardi
Iowa Board of Medicine
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: laura.berardi@dia.iowa.gov

Purpose and Summary

These proposed amendments implement 2026 Iowa Acts, House File 2676, to update the phrase "epinephrine auto-injectors" to "epinephrine delivery systems."

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs to the public to comply with this rulemaking. Staff salaries to support the work of the Board of Medicine (Board), including legislative implementation and rulemaking, are covered by the Licensing and Regulation Fund established in 2023 Iowa Acts, Senate File 557. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

- **Classes of persons that will benefit from the proposed rulemaking:**

Users and prescribers of epinephrine delivery systems will benefit from having Iowa's rules more accurately represent the product they are using and prescribing, respectively.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The proposed rulemaking will benefit all users and prescribers of epinephrine delivery systems by having a more accurate representation of the product they are using and prescribing, respectively. This rulemaking implements changes required by 2026 Iowa Acts, House File 2676.

- **Qualitative description of impact:**

The proposed rulemaking will benefit all users and prescribers of epinephrine delivery systems by having a more accurate representation of the product they are using and prescribing, respectively. This rulemaking implements changes required by 2026 Iowa Acts, House File 2676.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no anticipated costs to implement or enforce the proposed amendments. Staff salaries to support the work of the Board, including legislative implementation and rulemaking, are covered by the fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Because there is no anticipated cost related to this rulemaking and there is the benefit of keeping rules updated with current terminology, the costs and benefits of rulemaking outweigh those of inaction, which would only serve to keep outdated language in the Department's rules. This rulemaking implements 2026 Iowa Acts, House File 2676.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There is no alternative to updating the language in the rules. This rulemaking implements changes required by 2026 Iowa Acts, House File 2676.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

This rulemaking implements 2026 Iowa Acts, House File 2676, which requires the changing of terminology from "epinephrine auto-injectors" to "epinephrine delivery systems."

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

This rulemaking implements 2026 Iowa Acts, House File 2676, which requires the changing of terminology from "epinephrine auto-injectors" to "epinephrine delivery systems."

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no anticipated impact on small business. The proposed rulemaking implements 2026 Iowa Acts, House File 2676, and applies to all users and prescribers.

Text of Proposed Rulemaking

ITEM 1. Amend rule 481—655.10(135,147,148,272C,280) as follows:

481—655.10(135,147,148,272C,280) Standards of practice—prescribing epinephrine ~~auto-injectors~~ delivery systems, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists in the name of an authorized facility.

655.10(1) No change.

655.10(2) Notwithstanding any other provision of law to the contrary, a physician may prescribe epinephrine ~~auto-injectors~~ delivery systems, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists in the name of an authorized facility to be maintained for use pursuant to Iowa Code sections 135.185, 135.190, 280.16 and 280.16A.

655.10(3) A physician who prescribes epinephrine ~~auto-injectors~~ delivery systems, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists in the name of an authorized facility to be maintained for use pursuant to Iowa Code sections 135.185, 135.190, 280.16 and 280.16A, provided the physician has acted reasonably and in good faith, is not liable for any injury arising from the provision, administration, or assistance in the administration of an epinephrine ~~auto-injector~~ delivery system, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists.

RA 26-268

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapters 900, 901, 904 and 905
"Practice and Licensure of Funeral Directors, Funeral Establishments, and Cremation Establishments; Disciplinary Proceedings; and Enforcement Proceedings Against Nonlicensees"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A, 147, 156 and 272C

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 17A, 147, 156 and 272C

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 10 a.m.	6200 Park Avenue, Suite 100 Des Moines, Iowa Information on virtual participation will be available on the Department of Inspections, Appeals, and Licensing's website prior to the hearing.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Michele Christiansen
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: michele.christiansen@dia.iowa.gov

Purpose and Summary

Chapters 900, 901, 904, and 905 set minimum standards for licensure, practice and discipline as a funeral director, crematory operator, funeral establishment or cremation establishment in Iowa, as well as standards for registration as a removal technician. The purpose of this proposed rulemaking is to add guidelines for a crematory operator, which is a new licensing type created in 2026 Iowa Acts, Senate File 563. All references to Iowa Code chapter 156 are to that chapter as amended by Senate File 563.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Licensees bear the costs of application fees, including initial and renewal fees, as well as costs related to educational requirements and examination requirements.

- **Classes of persons that will benefit from the proposed rulemaking:**

The general public and licensees benefit from this rulemaking because the rules provide standards of practice for licensees to ensure the public is receiving quality services. The public and licensees

also benefit from these amendments because they maximize the safety of the public by now regulating the crematory operator.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Educational institutions provide the academic training for funeral directors to obtain their licenses in the State of Iowa. Additional private industries and educational institutions provide examinations and materials for preparation for examinations. Because the cost of education varies depending on the institution the person attends, the Board of Mortuary Science is unable to put an exact cost on the cost of education or examination preparation.

Licensing fees for a funeral director are $120 for an initial license and $120 for each biannual renewal period. Licensing fees for a funeral or cremation establishment are $90 for an initial license and $90 for each triennial renewal period. Licensing fees for a crematory operator will be $50 for an initial license and $50 for each triennial renewal period.

- **Qualitative description of impact:**

Establishing minimum requirements for licensure ensures safety for the licensee and consumer. The cost of inaction would be increasing the potential for injury to the public by a licensee who is not qualified to perform the work in the field.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Costs to the agency are for the staff time needed to manage Board activities, which include managing applications for initial licenses, renewals, and reinstatements. Staff salaries to support the work of the Board are covered by the Licensing and Regulation Fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

- **Anticipated effect on State revenues:**

Costs associated with implementing this rulemaking are paid by the State to develop a new license type in the database. This license type will generate revenue through licensing costs paid by the licensee. Crematory operators who are not already funeral directors will now need to become licensed and will pay licensing fees to the State.

Staff salaries to support the work of the Board are covered by the fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Establishing minimum licensing requirements ensures that practitioners are competent to practice. Almost every person, at some point, will purchase or consume a funeral-related product or service. Without having an established threshold for entry into the profession, individuals who are not appropriately trained could have adverse effects on consumers who are making expensive decisions in stressful circumstances. The Board believes the cost to license this profession are justified by the benefits achieved because licensing the profession ensures that Iowa consumers are protected.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

On a national level, there is a wide variety of alternatives to licensure. The State of Colorado previously only registered the establishment, as opposed to the individual, and had several instances of bad behavior by individuals. Arkansas does not require funeral directors to obtain college credits as long as they complete an apprenticeship and pass the national examination. The Board believes that licensure of funeral directors, crematory operators and establishments is required to ensure that a minimum competency of care is provided to Iowans. Licensure requirements could be reduced or eliminated for the purpose of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Board believes that all current requirements ensure public safety and ensure that a minimum competency of care is provided to Iowans. The crematory operator license is an additional license type that will help ensure public safety. Licensure requirements could be reduced or eliminated for the purpose of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The Board believes that all current requirements ensure public safety and ensure that a minimum competency of care is provided to Iowans. The crematory operator license is an additional license type that will help ensure public safety. Licensure requirements could be reduced or eliminated for the purpose of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking relates to high-stakes public safety concerns that are present whether the business is a small business or a large organization. The rulemaking is meant to ensure public safety in terms of licensing requirements for funeral directors and establishments. While some funeral directors may be operating a funeral or cremation establishment of their own, others will be working for a firm that owns multiple establishments. To exempt a small business from adhering to this rulemaking would jeopardize any member of the public who sought services from that small business. The risk to the public is greater than the potential harm or cost to the small business.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** definition of "Crematory operator" in rule **481—900.1(156)**:

"Crematory operator" means a person licensed by the board to operate a cremation establishment and crematory equipment.

ITEM 2. Amend subparagraph **900.10(1)"b"(1)** as follows:

(1) The cremation establishment will furnish to any person who receives the cremated remains from the cremation establishment a receiving receipt containing:

1. to 5. No change.

6. The name of the cremation establishment and licensed crematory operator and the date and time of the cremation.

ITEM 3. Amend rule **481—901.1(156)**, definition of "Licensee," as follows:

"Licensee" means ~~any person licensed to practice as a funeral director in the state of Iowa~~ an individual licensed pursuant to Iowa Code section 156.4 to practice in Iowa as a crematory

operator or funeral director; a person registered as a removal technician; or a person issued an establishment license pursuant to Iowa Code section 156.14 to establish, conduct, or maintain a funeral establishment or cremation establishment in Iowa.

ITEM 4. Adopt the following **new** rule 481—901.14(156):

481—901.14(156) Crematory operators—training and requirements.

901.14(1) A crematory operator is a person licensed by the board to operate a cremation establishment and crematory equipment.

901.14(2) A crematory operator will complete a specialized course in cremation, approved by the board, from a nationally recognized organization.

901.14(3) It is the responsibility of the crematory operator to maintain successful documentation of completion of the education and training program described in subrule 901.14(2).

901.14(4) A crematory operator seeking licensure will complete an application on forms provided by the board and remit a fee in the amount of $50 to the board. The application will include the applicant's full name, date of birth, and home address; the license number of each funeral director or crematory operator employed by the establishment at the time of application; and the name and address of the funeral establishment or cremation establishment primarily employing the crematory operator. A license is effective for three years and may be renewed within 60 days of expiration.

901.14(5) The board will issue a crematory operator license to a funeral director who submits an application.

ITEM 5. Amend rule 481—904.3(17A,147,156,272C) as follows:

481—904.3(17A,147,156,272C) Grounds for discipline against ~~funeral directors~~ board of mortuary science-regulated persons. The board may initiate disciplinary action against a licensed funeral director or crematory operator or a registered removal technician based on Iowa Code section 156.9 and any of the following grounds:

904.3(1) to **904.3(4)** No change.

904.3(5) Unlicensed practice.

a. to *c.* No change.

d. Knowingly aiding, assisting, procuring, advising, or allowing a person to unlawfully practice mortuary science or unlawfully operate a crematory establishment or crematory equipment, or aiding or abetting a licensee, license applicant or unlicensed person in committing any act or omission ~~which~~ that is grounds for discipline under this rule or is an unlawful act by a nonlicensee or nonregistrant under Iowa Code section 156.16.

904.3(6) and **904.3(7)** No change.

904.3(8) Professional misconduct.

a. and *b.* No change.

c. Engaging in any conduct that subverts or attempts to subvert a board investigation, or failure to fully cooperate with a licensee disciplinary investigation or investigation against a nonlicensee or nonregistrant, including failure to comply with a subpoena issued by the board or to respond to a board inquiry within 30 calendar days of the date of mailing by certified mail of a written communication directed to the licensee's last address on file at the board office.

d. No change.

904.3(9) to **904.3(14)** No change.

ITEM 6. Amend subrule 904.4(3) as follows:

904.4(3) The licensee or applicant knowingly aided, assisted, procured, or allowed a person to unlawfully practice mortuary science or unlawfully operate a crematory establishment or crematory equipment.

ITEM 7. Amend rule 481—904.6(17A,147,156,272C) as follows:

481—904.6(17A,147,156,272C) Board discretion in imposing disciplinary sanctions. Factors the board will consider when determining the nature and severity of the disciplinary sanction to be imposed, including whether to assess and the amount of civil penalties, include:

1. to 11. No change.

12. Whether the nonlicensee or nonregistrant acted in bad faith.

13. to 17. No change.

ITEM 8. Rescind rule 481—905.2(156) and adopt the following **new** rule in lieu thereof:

481—905.2(156) Unlawful practices. Practices by unlicensed persons or establishments that are subject to civil penalties include but are not limited to:

1. Acts or practices by unlicensed persons that require licensure as a funeral director under Iowa Code chapter 156.

2. Acts or practices by unlicensed establishments that require licensure as a funeral establishment or cremation establishment under Iowa Code chapter 156.

3. Acts or practices by unlicensed persons that require licensure as a crematory operator under Iowa Code chapter 156.

4. Acts or practices by unregistered persons that require registration as a removal technician under Iowa Code chapter 156.

5. Use of the words "funeral director," "mortician," "crematory operator, "removal technician," or other title in a manner that states or implies that the person is engaged in the practice of mortuary science as defined in Iowa Code chapter 156.

6. Use or attempted use of a licensee's certificate or an expired, suspended, revoked, or nonexistent certificate.

7. Falsely impersonating a licensed funeral director or crematory operator or a registered removal technician.

8. Providing false or forged evidence of any kind to the board in obtaining or attempting to obtain a license or registration.

9. Other violations of Iowa Code chapter 156.

10. Knowingly aiding or abetting an unlicensed or unregistered person or establishment in any activity identified in this rule.

ITEM 9. Amend rule 481—905.3(156) as follows:

481—905.3(156) Investigations. The board is authorized by Iowa Code sections 17A.13(1) and 156.16 to conduct such investigations as are needed to determine whether grounds exist to impose civil penalties against a nonlicensee or nonregistrant. Such investigations will conform to the procedures outlined in this chapter. Complaint and investigatory files concerning nonlicensees or nonregistrants are not confidential except as may be provided in Iowa Code chapter 22.

ITEM 10. Amend rule 481—905.4(156) as follows:

481—905.4(156) Subpoenas. Pursuant to Iowa Code sections 17A.13(1) and 156.16, the board is authorized in connection with an investigation of an unlicensed or unregistered person or establishment to issue subpoenas to compel persons to testify and to compel persons to produce books, papers, records and any other real evidence, whether or not privileged or confidential under law, that the board deems necessary as evidence in connection with the civil penalty proceeding or relevant to the decision of whether to initiate a civil penalty proceeding. Board procedures concerning investigative subpoenas are set forth in rule 481—503.5(17A,272C).

ITEM 11. Amend rule 481—905.5(156) as follows:

481—905.5(156) Notice of intent to impose civil penalties. The notice of the board's intent to issue an order to require compliance with Iowa Code chapter 156 and to impose a civil penalty will be

served upon the nonlicensee or nonregistrant by restricted certified mail, return receipt requested, or personal service in accordance with Iowa R. Civ. P. 1.305. Alternatively, the nonlicensee or nonregistrant may accept service personally or through authorized counsel. The notice will include the following:

1. to 4. No change.

5. Notice of the nonlicensee's or nonregistrant's right to a hearing and the time frame in which a hearing must be requested.

6. The address to which written request for a hearing must be made.

ITEM 12. Amend rule 481—905.6(156) as follows:

481—905.6(156) Requests for hearings.

905.6(1) Nonlicensees or nonregistrants must request a hearing within 30 days of the date the notice is received if served through restricted certified mail, or within 30 days of the date of service if service is accepted or made in accordance with Iowa R. Civ. P. 1.305. A request for hearing must be in writing and is deemed made on the date of the nonmetered United States Postal Service postmark or the date of personal service.

905.6(2) and **905.6(3)** No change.

905.6(4) A nonlicensed or nonregistered person who fails to timely request a contested case hearing will have failed to exhaust "adequate administrative remedies" as that term is used in Iowa Code section 17A.19(1).

905.6(5) A nonlicensed or nonregistered person who is aggrieved or adversely affected by the board's final decision following a contested case hearing may seek judicial review as provided in Iowa Code section 17A.19.

905.6(6) A nonlicensee or nonregistrant may waive the right to hearing and all attendant rights and enter into a consent order imposing a civil penalty and requiring compliance with Iowa Code chapter 156 at any stage of the proceeding upon mutual consent of the board.

905.6(7) No change.

ITEM 13. Amend rule 481—905.7(156) as follows:

481—905.7(156) Factors to consider. The board may consider the following when determining the amount of civil penalty to impose, if any:

1. to 12. No change.

13. Whether the nonlicensee or nonregistrant acted in bad faith.

14. Whether the nonlicensee or nonregistrant cooperated with the board.

RA 26-270

NATURAL RESOURCE COMMISSION[571]

Regulatory Analysis

Notice of Intended Action to be published: 571—15.10(483A)
"General License Regulations"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 483A.1(1)

State or federal law(s) implemented by the rulemaking: Iowa Code section 483A.1 and 2026 Iowa Acts, Senate Files 654 and 2471

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	6200 Park Avenue, Second Floor
1 to 2 p.m.	Des Moines, Iowa

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.326.0430 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.326.0430 al menos siete días antes del evento.

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Chris Ensminger
Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Phone: 515.250.6886
Email: chris.ensminger@dnr.iowa.gov

Free language assistance: If you speak a non-English language, the Department offers language assistance services free of charge. Contact the Department at chris.ensminger@dnr.iowa.gov.

Servicios gratuitos de asistencia lingüística: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov.

Purpose and Summary

Chapter 15 governs hunting, fishing, and trapping license sales, fees, general administration, and a framework for license revocation and suspension. This proposed rulemaking will align Chapter 15 with 2026 Iowa Acts, Senate Files 654 and 2471, which collectively change certain fur dealer fees. Specifically, all fur dealer license fees will be set at $50, and the disabled veteran lifetime fur harvester licenses will be set at $5.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The proposed changes are all reductions in license fees. Savings will be realized by disabled veteran fur harvesters and all fur dealers.

- **Classes of persons that will benefit from the proposed rulemaking:**

Disabled veteran fur harvesters and fur dealers will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Disabled veteran fur harvesters and fur dealers will pay less for licenses.

- **Qualitative description of impact:**

There is no qualitative impact beyond what is required by the newly amended Iowa Code.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

None. These changes will result in a minimal loss of revenue but no increase in costs for the Department.

- **Anticipated effect on State revenues:**

The proposed rulemaking will minimally reduce revenues to the Department. Both license types are in relatively low demand.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Both the costs and benefits of the proposed changes will be minimal.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable. The new fees are required by State law.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable. The new fees are required by State law.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable. The new fees are required by State law.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking will have a small impact on fur dealer businesses by reducing the cost of their licenses to buy furs in the State.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **15.10(1)"aa"** as follows:

aa. Fur harvester license, lifetime, disabled veteran — ~~$59.50~~ $5.

ITEM 2. Amend paragraph **15.10(1)"bb"** as follows:

bb. Fur dealer license, annual — ~~$277~~ $50.

ITEM 3. Amend paragraph **15.10(2)"y"** as follows:

y. Fur dealer license, annual — ~~$615.75~~ $50.

ITEM 4. Rescind and reserve paragraph **15.10(2)"z"**.

RA 26-271

NATURAL RESOURCE COMMISSION[571]

Regulatory Analysis

Notice of Intended Action to be published: paragraph 51.6(2)"c"
"Game Management Areas"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 455A.5(6)"a" and 481A.6

State or federal law(s) implemented by the rulemaking: Iowa Code sections 456A.24(2)"a," 481A.6 and 481A.39 and 2026 Iowa Acts, Senate File 654

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	6200 Park Avenue, Second Floor
1 to 2 p.m.	Des Moines, Iowa

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.326.0430 at least seven days before the event.

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Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Chris Ensminger
Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Phone: 515.250.6886
Email: chris.ensminger@dnr.iowa.gov

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Purpose and Summary

Chapter 51 designates the State-owned lands and waters under the jurisdiction of the Natural Resource Commission (Commission) as game management areas (GMAs). This designation helps effect sound wildlife management and preserve biological balance, both of which are required by law. To that end, Chapter 51 contains the allowable uses of GMAs. These use restrictions are established to protect the primary purpose of GMAs, which is to create and protect fish and wildlife habitat and to promote fish- and wildlife-based recreation.

The proposed rulemaking defines labeling requirements for tree stands used for deer hunting on GMAs as required by 2026 Iowa Acts, Senate File 654.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Deer hunters utilizing tree stands on GMAs will be required to label their stands with a metal tag. These tags are available for sale at numerous retailers for a very low cost (less than $0.25 per tag).

- **Classes of persons that will benefit from the proposed rulemaking:**

Citizens of Iowa and users of GMAs will benefit. Abandoned, unmarked tree stands have become a common problem on Iowa's public hunting areas. This rulemaking will help alleviate that problem by establishing an accountable party and providing for a process to remove abandoned stands.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

This proposed rulemaking does not impose any financial burdens on the public.

- **Qualitative description of impact:**

This proposed rulemaking will help to improve GMA users' experience by eliminating abandoned tree stands from Iowa's wild areas.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

No additional costs will be borne by the Department or other agencies.

- **Anticipated effect on State revenues:**

This proposed rulemaking has no impact on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The public will bear minimal costs (less than $0.25 per tag) to comply with this proposed rulemaking. This proposed rulemaking will help to improve GMA users' experience by eliminating abandoned tree stands from Iowa's wild areas.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no costs associated with this proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were considered. This rulemaking is required by Iowa law.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable. This rulemaking is required by Iowa law.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have an impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **51.6(2)"c"** as follows:

c. Exception—tree ~~blinds~~ stands. ~~Portable blinds~~ Tree stands with a metal tag displaying the owner's DNR customer identification number affixed to it and visible from the ground may be placed in trees and used for ~~purposes other than~~ deer hunting ~~waterfowl~~. Tree stands may be left on an area for a continuous period of time beginning seven days prior to the open season for hunting deer ~~or turkey~~ and ending seven days after the final day of that open season. ~~Portable blinds~~ Unlabeled tree stands or stands left after the permissible period will be removed from the game management area by department staff. Tree stands left on game management areas during the deer season do not guarantee the owner exclusive use of the ~~blind~~ stand when unattended, or exclusive use of the site where the stand is placed.

RA 26-272

NATURAL RESOURCE COMMISSION[571]

Regulatory Analysis

Notice of Intended Action to be published: 571—Chapter 106
"Deer Hunting"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 455A.5(6)"a," 481A.39 and 481A.48

State or federal law(s) implemented by the rulemaking: Iowa Code sections 481A.38, 481A.39 and 481A.48 and 2026 Iowa Acts, Senate File 2318

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	6200 Park Avenue, Second Floor
1 to 2 p.m.	Des Moines, Iowa

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.326.0430 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.326.0430 al menos siete días antes del evento.

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Chris Ensminger
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
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Purpose and Summary

Chapter 106 governs deer hunting by residents and nonresidents in the State of Iowa. This chapter regulates deer hunting and sets forth season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rulemaking proposes two amendments to comply with 2026 Iowa Acts, Senate File 2318, passed during the 2026 Legislative Session. That legislation amends Iowa Code section 483A.8,

which previously required a nonresident who purchased an antlered or any-sex deer hunting license to also purchase an antlerless-deer-only deer hunting license at the same time. Senate File 2318 changes this requirement to add in the following caveat: the Natural Resource Commission (Commission) can designate certain zones as "not required" for the mandatory antlerless-deer-only license. This rulemaking aligns Chapter 106 with this statutory change and specifies the process for the Commission to make the "not required" designation.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Most hunters will not be affected by this proposed rulemaking. Nonresident hunters may not be required to purchase a mandatory antlerless-deer-only license if they select a zone that the Commission has designated "not required."

- **Classes of persons that will benefit from the proposed rulemaking:**

Deer hunters will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is a potential small economic benefit for nonresident hunters who may no longer be required to purchase a mandatory antlerless deer license.

- **Qualitative description of impact:**

The Commission will likely only designate zones as "not required" in cases where the deer population has dropped to a level below the Department's population goals. In these cases, resident antlerless-deer-only licenses are not available, so requiring nonresidents to purchase a privilege not available to residents is seen negatively. The proposed rulemaking will rectify that inequity and is strongly supported by resident hunters.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Not applicable. The Department will absorb any necessary educational outreach and enforcement of the legislation in its existing budget.

- **Anticipated effect on State revenues:**

It is difficult to accurately predict what the actual revenue loss of this rulemaking will be for the Department. There will be lost revenues from the reduction in mandatory license sales. However, this will be in low deer population zones where nonresident hunter demand is also low. It is also not clear at this time whether the Commission will determine that any zones should be designated as "not required."

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The public does not have any costs to comply with the process and requirements set forth in these rules.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no costs associated with this proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking does not have any impact on small business.

The following types of jobs are positively impacted by deer hunting in Iowa generally and should see no noticeable change due to this rulemaking: hunting equipment retailers (firearms, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters traveling around the State.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **106.1(4)"b"** as follows:

b. Mandatory antlerless-deer-only licenses. Each hunter who is successful in drawing an any-deer license must also purchase an antlerless-deer-only license for the same zone and season as the any-deer license unless the zone in which the nonresident is purchasing the any-deer hunting license is designated by the commission as not required. If the hunter is unsuccessful in drawing an any-deer license, neither the any-deer nor antlerless-deer-only license will be issued. Antlerless-deer-only licenses shall be valid for taking deer that have no forked antler.

ITEM 2. Amend subrule 106.10(5) as follows:

106.10(5) *Antlerless-deer-only licenses, mandatory antlerless-deer-only licenses and zone B any-deer licenses.* Paid antlerless-deer-only licenses and zone B any-deer licenses shall be available by county as designated annually by the commission. Mandatory antlerless-deer-only licenses shall be available by nonresident zone as designated annually by the commission. Prior to the commission designating the quotas and nonresident zones, the department shall publish on its website (www.iowadnr.gov/deerhunting) a proposed allocation and accept public comments for at least 30 days.

RA 26-273

NATURAL RESOURCE COMMISSION[571]

Regulatory Analysis

Notice of Intended Action to be published: 571—Chapter 108
"Wild Furbearer Trapping and Hunting"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 481A.6, 481A.38, 481A.39, 481A.87, 481A.90 and 481A.92

State or federal law(s) implemented by the rulemaking: Iowa Code sections 481A.6, 481A.38 and 481A.92 and 2026 Iowa Acts, Senate File 654

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	6200 Park Avenue, Second Floor
1 to 2 p.m.	Des Moines, Iowa

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.326.0430 at least seven days before the event.

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Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Email: chris.ensminger@dnr.iowa.gov

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Servicios gratuitos de asistencia lingüística: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits, and areas open to hunting or trapping furbearers. Three categories of changes are proposed, but only the first two amount to substantive changes to the existing rules.

First, this proposed rulemaking expands bobcat harvest to be statewide. Bobcat population data gathered annually since 2007 indicates that Iowa's bobcat population continues to grow and expand its

distribution into more counties across central and north Iowa. Bobcat data is compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This proposed change is biologically responsible, as required by State law, and will also increase recreational opportunities for Iowa fur harvesters while helping to minimize social issues associated with high bobcat densities.

Second, this proposed rulemaking partly implements 2026 Iowa Acts, Senate File 654. Under that legislation, trappers are allowed to identify traps with their name and address or Department-issued customer identification number. This provision is being incorporated into the chapter's trap tag requirements.

Finally, this proposed rulemaking restates the existing river otter bag limit in clearer terms but does not change the number of otters allowed to be taken. The phrase "seasonal daily bag limit" is being simplified to "seasonal bag limit."

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The proposed rulemaking will not generate additional costs.

- **Classes of persons that will benefit from the proposed rulemaking:**

Iowa fur harvesters will benefit from added recreational opportunity through an expanded bobcat harvest zone and added flexibility in labeling their traps.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

No additional costs are expected.

- **Qualitative description of impact:**

Iowa fur harvesters will benefit from added recreational opportunity through an expanded bobcat harvest zone and added flexibility in labeling their traps.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

None. These changes will result in no increase in costs for the Department.

- **Anticipated effect on State revenues:**

The proposed rulemaking is not expected to have a significant effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Iowa fur harvesters will benefit from added recreational opportunity through an expanded bobcat harvest zone and added flexibility in labeling their traps.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

No less costly or less intrusive methods exist.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were seriously considered. This proposed rulemaking implements, in part, 2026 Iowa Acts, Senate File 654. Additionally, Iowa's bobcat population has grown and expanded steadily over the past two decades, and increasing harvest is biologically responsible at this time.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable. This proposed rulemaking implements 2026 Iowa Acts, Senate File 654. Iowa's bobcat population has grown and expanded steadily over the past two decades, and increasing harvest is biologically responsible at this time.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking will have no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 108.7(2) as follows:

108.7(2) *Open area.* River otters and bobcats may be taken statewide. ~~Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Boone, Cass, Cedar, Cherokee, Clarke, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Plymouth, Polk, Pottawattamie, Poweshiek, Ringgold, Scott, Shelby, Sioux, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, and Woodbury.~~

ITEM 2. Amend subrule 108.7(3) as follows:

108.7(3) *Seasonal ~~daily~~ bag limit and bobcat zones.*

a. The seasonal ~~daily~~ bag limit for river otters is 3 river otters per person.

b. The seasonal ~~daily~~ bag limit for bobcats is ~~1 bobcat~~ 3 bobcats per person ~~in the following counties: Audubon, Boone, Cedar, Cherokee, Clinton, Crawford, Dallas, Delaware, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Jones, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, Webster, and Woodbury~~.

c. No more than 3 bobcats and 3 river otters total can be legally harvested by a fur harvester in a season. River otters or bobcats trapped in excess of the seasonal bag limit must be turned over to the department; the fur harvester shall not be penalized.

~~*c.*~~ *d.* ~~The seasonal daily bag limit for bobcats is 3 bobcats per person in~~ Of the 3 total bobcats that can be legally harvested in a season, up to 3 may be taken from any single county within Zone A. Zone A is comprised of the following counties: Adair, Adams, Appanoose, Cass, Clarke, Dallas, Davis, Decatur, Des Moines, Fremont, Guthrie, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Polk, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne. For Zone B, comprised of all Iowa counties not included in Zone A, 1 bobcat per person per county may be taken up to the total of 3 allowed per season.

~~*d.* No more than 3 bobcats total can be legally harvested by a fur harvester in a season. River otters or bobcats trapped in excess of the seasonal daily bag limit or in a closed area must be turned over to the department; the fur harvester shall not be penalized.~~

ITEM 3. Amend rule 571—108.15(481A) as follows:

571—108.15(481A) Trap tag requirements. All traps and snares, whether set or not, possessed by a person who can reasonably be presumed to be trapping shall have a metal tag attached plainly labeled with the user's name and address or the user's department-issued customer identification number.

RA 26-269

NATURAL RESOURCES DEPARTMENT[561]

Regulatory Analysis

Notice of Intended Action to be published: 561—Chapter 12
"Special Nonresident Deer and Turkey Licenses"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 483A.24 as amended by 2026 Iowa Acts, House File 2800

State or federal law(s) implemented by the rulemaking: Iowa Code section 483A.24 as amended by 2026 Iowa Acts, House File 2800

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	Suite 200
1 to 2 p.m.	6200 Park Avenue
	Des Moines, Iowa

Free language assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at denise.roberg@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.571.4010 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al denise.roberg@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.571.4010 al menos siete días antes del evento.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Denise Roberg
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Email: denise.roberg@dnr.iowa.gov

Free language assistance: If you speak a non-English language, the Department offers language assistance services free of charge. Contact the Department at denise.roberg@dnr.iowa.gov.

Servicios gratuitos de asistencia lingüística: Si habla un idioma que no sea el inglés, los servicios de asistencia lingüística están disponibles de forma gratuita. Comuníquese con el Departamento al denise.roberg@dnr.iowa.gov.

Purpose and Summary

Chapter 12 establishes the process to issue special nonresident deer and turkey licenses to individuals as part of statewide or local efforts to promote the State and its natural resources. Three amendments are proposed to implement 2026 Iowa Acts, House File 2800, which allocates a nonresident deer license to the Iowa State Fair Foundation.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

No costs are anticipated to result from this proposed rulemaking beyond those anticipated to result from the changes to the Iowa Code.

- **Classes of persons that will benefit from the proposed rulemaking:**

Individuals who receive the special license, nonprofit organizations and their local communities will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There is no economic impact or cost beyond what is anticipated as a result of the changes to the Iowa Code.

- **Qualitative description of impact:**

Nonprofit organizations and local communities benefit from providing these hunting opportunities to nonresidents. Individuals who receive these special licenses benefit from hunting in which they otherwise may not qualify to engage as a nonresident. These activities promote the State and Iowa's natural resources.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Department staff currently administer the program, including reviewing applications and answering questions from organizations and applicants. No additional implementation or enforcement costs are expected under this rulemaking.

- **Anticipated effect on State revenues:**

The proposed rulemaking does not have any effect on State revenues beyond what is anticipated to result from the changes to the Iowa Code.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The costs are minimal compared to the benefits to the State of Iowa.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or less intrusive methods.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were seriously considered by the agency.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind the definition of "Statewide signature event organization" in rule **561—12.2(483A)**.

ITEM 2. Amend subrule 12.3(2) as follows:

12.3(2) ~~A statewide signature event organization~~ The Iowa state fair foundation shall receive one special nonresident deer license ~~upon application~~. The ~~statewide signature event organization~~ Iowa state fair foundation shall return to the department the greater amount of either one-half of the proceeds from its sale of the special nonresident deer license or the fee for a nonresident deer license as set forth in Iowa Code section 483A.1. The department's proceeds shall cover the cost of the special nonresident deer license. A license made available to ~~a statewide signature event organization~~ the Iowa state fair foundation in accordance with this subrule may be valid for up to two years ~~after selection of the organization by the director or the director's designee~~. The ~~statewide signature event organization~~ Iowa state fair foundation shall notify the coordinator immediately following the sale of the special nonresident deer license of which year and for what season the special nonresident deer license will be used.

ITEM 3. Amend rule 561—12.10(483A), introductory paragraph, as follows:

561—12.10(483A) License costs for promotional special licenses. With the ~~exception~~ exceptions provided in 12.3(2) and 12.6(2) for the Iowa state fair foundation and conservation organizations, a nonresident who obtains a special license issued pursuant to this chapter shall pay the applicable fee as follows:

RA 26-274

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 8
"Criminal Justice Information"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 692.10
State or federal law(s) implemented by the rulemaking: Iowa Code sections 80.5 and 692.14

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 3:30 to 4 p.m.	125 Public Conference Room Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 8 and adopt a new chapter in lieu thereof. The proposed chapter governs terminal access to the Iowa Online Warrants and Articles (IOWA) criminal justice information system.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Persons and agencies accessing or wishing to access the IOWA system will bear the costs of this rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Any individual who has information stored in the IOWA system will benefit from this rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There are no costs associated with accessing the IOWA system.

- **Qualitative description of impact:**

Agencies are responsible for completing a background check on all applicants for positions with access to criminal history files.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs borne by the agency or any other agency to implement and enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Inaction could compromise the security of the system.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this is the least costly and least intrusive method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 8 and adopt the following **new** chapter in lieu thereof:

CHAPTER 8
CRIMINAL JUSTICE INFORMATION

661—8.1 to **8.100** Reserved.

DIVISION I
IOWA ON-LINE WARRANTS AND ARTICLES SYSTEM

661—8.101(80,692) Iowa on-line warrants and articles (IOWA) criminal justice information system. The IOWA criminal justice information system is administered by the division of

administrative services. The IOWA system provides criminal justice agency access to traffic record and criminal justice databases through a dedicated telecommunications network.

661—8.102(80) Human immunodeficiency virus-related information. An agency may enter human immunodeficiency virus-related (HIV) information into a wanted or missing person file of the IOWA system and the National Crime Information Center operated by the Federal Bureau of Investigation in a manner consistent with IOWA System Operating Manual. HIV information shall be kept confidential and may be communicated only in accordance with this rule.

661—8.103(80,692) IOWA system security. IOWA system terminal access shall be available to criminal justice agencies as defined by Iowa Code section 692.1(7). Prior to being permitted terminal access to the IOWA system, a criminal justice agency shall meet the following criteria:

8.103(1) All terminals shall be located within the facilities or vehicles of authorized agencies where appropriate physical security can be maintained.

8.103(2) The immediate terminal areas shall be restricted to prevent access by unauthorized individuals.

8.103(3) All persons accessing NCIC and the criminal history files shall have been authorized to operate the terminal by the criminal justice agency administrator, been approved by the department of public safety, received the required training and achieved proficiency certification by the department of public safety. Agencies shall do the following:

a. Complete a background investigation on all applicants for positions with access to NCIC and criminal history files and notify the department of public safety upon completion. The background investigation shall be done to ensure the following:

(1) That the applicant is 18 years of age or older at the time of appointment to the position.

(2) That the applicant is not addicted to drugs or alcohol.

(3) That the applicant has not been convicted of a serious crime.

b. Submit two fingerprint cards on all applicants to the Iowa division of criminal investigation. One card will be used to check for any Iowa criminal history, and the second card will be forwarded to the FBI for a national search of criminal history records.

8.103(4) Where IOWA system terminals are not operated on a 24-hour-per-day basis, the terminals shall be physically secured when unattended.

8.103(5) The criminal justice agency administrator shall be directly responsible for ensuring that information received from the IOWA system is restricted for the official use of agency personnel, other criminal justice agencies, or other agencies authorized in writing by the department of public safety.

8.103(6) Any agency desiring direct access to IOWA system files shall make application to the department. Before authorization is granted, the administrator of the applying agency shall enter into a written agreement with the department of public safety agreeing to abide by all rules, policies and procedures promulgated by the department for system operation, security and discipline. The agreement shall reserve to the department the right to terminate furnishing criminal history or other file information to the applicant agency if abuses are discovered concerning either the security or dissemination requirements of this data.

8.103(7) Any agency that has had its authorization to IOWA system files terminated by the department may appeal the termination to the commissioner of public safety in accordance with 661—Chapter 10.

661—8.104(80,692) Subpoenas and court orders. Any agency or individual in possession of criminal history data received from the department that is served with a subpoena, court order, request for production or other legal process demanding the production of criminal history data shall notify the department in writing so that the department has an opportunity to make a timely resistance.

These rules are intended to implement Iowa Code sections 80.5 and 692.14.

RA 26-275

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 91
"Weapons and Iowa Professional Permits to Carry Weapons"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 724.1, 724.6, 724.9, 724.14, and 724.17

State or federal law(s) implemented by the rulemaking: Iowa Code chapter 724

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 10:30 to 11 a.m.	125 Public Conference Room Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 91 and adopt a new chapter in lieu thereof. The proposed chapter provides application procedures for a permit to carry weapons in Iowa. This chapter also outlines training and curriculum for an educator professional permit.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Any individual wishing to obtain a permit to carry weapons will bear the cost of the proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Permit applicants and the general public will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Applicants for permits to carry weapons will be assessed a fee of $50 for an initial permit or $25 for renewal or duplicate permits. This includes nonresidents of Iowa, educator permit applicants, and

State employees who are required by employment to go armed. These fees are established in Iowa Code section 724.11.

Firearm training organizations seeking approval by the Department to certify individuals as handgun safety training instructors eligible to offer handgun safety training will be assessed an application processing fee of $500 (certification of approval is valid for five years). A firearm training organization seeking to renew its certification of approval is assessed an application processing fee of $500 (certification of approval is valid for five years).

- **Qualitative description of impact:**

Applicants for permits to carry weapons are responsible for making time to take the required training in order to be eligible for a permit.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The fees help support administrative costs associated with processing applications and issuing permits effectively and efficiently. Inaction could cause confusion in application procedures to any person attempting to understand how to apply for a permit to carry weapons in Iowa.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 91 and adopt the following **new** chapter in lieu thereof:

CHAPTER 91
WEAPONS AND IOWA PROFESSIONAL PERMITS TO CARRY WEAPONS

661—91.1(724) Definitions. The following definitions apply to this chapter:

"Addicted to the use of alcohol" means physiological or psychological dependence on the continued use of alcohol or a maladaptive pattern of alcohol use leading to significant occupational, educational, familial, social, legal, or health-related problems.

"Addicted to the use of alcohol" does not mean nonpathological alcohol use, such as social drinking or occasional or periodic intoxication not accompanied by disruption in social and family relationships, vocational or financial difficulties, or legal problems. "Addicted to the use of alcohol" also does not mean alcohol dependence with sustained full remission, as evidenced by a period of at least 12 months without instances or indicators of alcohol dependence or alcohol abuse. One or more instances of alcohol intoxication alone shall not constitute alcohol addiction unless accompanied by alcohol dependence or a maladaptive pattern of alcohol use leading to significant occupational, educational, familial, social, legal, or health-related problems.

Any of the following shall create a presumption that a person is addicted to the use of alcohol:

1. Affirmation by the person that the person is addicted to the use of alcohol and has not achieved sustained full remission;
2. Treatment for alcohol dependence, abuse, or addiction within the last 12 months, not including follow-up treatment or attendance at support groups during a period of sustained full remission;
3. A diagnosis of alcohol dependence or alcohol abuse from a properly licensed medical or psychological professional in the past 12 months;
4. Two or more arrests, at least one of which resulted in a conviction, for unlawful use or possession of alcohol or other criminal act committed while under the influence of alcohol in the past 12 months;
5. Three or more arrests, at least one of which resulted in a conviction, for unlawful use or possession of alcohol or other criminal act committed while under the influence of alcohol in the past five years if the most recent arrest occurred in the past 12 months;
6. Disciplinary action taken by any employer or organization for prohibited use or possession of alcohol in the past 12 months;
7. Failure to successfully complete alcohol rehabilitation or treatment in the past 12 months;
8. One or more instances of founded child or dependent adult abuse related to alcohol use in the past five years;
9. A test of the person's breath, blood, urine, or other bodily fluid that indicates the person has engaged in unlawful acts involving alcohol, provided that the test was administered within the past 12 months; or
10. Documented reports or information from at least two credible sources that evidence a pattern of conduct indicating that the person is currently addicted to the use of alcohol as defined herein.

"Adjudicated as a mental defective" means the same as defined in 27 CFR 478.11.

"Annual" means once per calendar year.

"Applicant" means a person who is applying for a permit to carry weapons.

"Approved educator professional permit training" means any training that has satisfied the requirements to provide educational-setting training in Iowa for the purpose of obtaining an Iowa educator professional permit and has been approved by the commissioner.

"Approved training organization" means any firearm training organization that has satisfied the requirements to certify handgun safety training instructors eligible to offer handgun safety training in Iowa for the purpose of obtaining an Iowa permit to carry weapons and has been approved by the commissioner.

"Background check" means an inquiry through the IOWA system to NICS, the IOWA and the National Crime Information Center (NCIC) systems person files and the driver's license file of the applicant as well as other available sources of information to be used to determine eligibility.

"Commissioner" means the commissioner of the department of public safety or, as applicable, the commissioner's designee.

"Committed to a mental institution" means a formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily either as an inpatient or outpatient. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug or alcohol abuse. The term does not include admission to a mental institution for observation or a voluntary admission to a mental institution.

"Crime punishable by imprisonment for a term exceeding one year" means the same as defined in 27 CFR 478.11.

"Educator professional permit" means a permit issued to a school employee pursuant to Iowa Code section 724.6(1)*"a"*(3) to allow for the concealed carry of a firearm. The permit holder's employer maintains the final authority to determine whether the permit holder may carry a firearm on the employer's grounds. Such a permit is only valid while the permit holder is engaged in the employment stated on the permit.

"Felony" means any crime punishable by imprisonment for a term exceeding one year as defined in this rule or any crime involving a firearm or explosive that is punishable by imprisonment for a term exceeding one year and is classified as a misdemeanor under the laws of this state.

"Firearm training documentation for professional permit" means a copy of a certificate of completion or any similar document indicating completion of any firearm training program course; an affidavit from the instructor, school, organization or group that conducted or taught a firearm training program; a copy of or the display of an honorable discharge or general discharge under honorable conditions or Form DD-214 for personnel released or retired from active duty with the armed forces of the United States; or possession of a certificate of completion of basic training with a service record of successful completion of small arms training and qualification for active duty personnel in the armed forces of the United States.

"Firearm training program" means any National Rifle Association handgun safety training course; any handgun safety training course available to the general public utilizing instructors certified by the National Rifle Association, an organization approved by the department of public safety pursuant to Iowa Code section 724.9A or the Iowa law enforcement academy or another state's department of public safety, state police department, or similar certifying body; any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the department of public safety; or completion of small arms training while serving with the armed forces of the United States. Any person or entity seeking approval by the department of public safety for a handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency, other than those certified by the National Rifle Association, the department of public safety or the Iowa law enforcement academy, or courses conducted by instructors certified by the National Rifle Association or the Iowa law enforcement academy, shall submit a detailed description of the course content to the commissioner for review. Any handgun safety training course submitted for review shall be reviewed by the commissioner.

"Identification documentation for an Iowa resident" means any of the following:

1. A driver's license or nonoperator identification card that contains a photograph of the person and that has been issued by the department of transportation;

2. A motor vehicle license or nonoperator identification card that contains a photograph of the person; that has been issued by a state other than Iowa and at least one current document indicating Iowa residency, including a residential lease agreement, utility bill, voter registration, tuition receipt

for a college or university in Iowa, or other documentation that is acceptable to the officer issuing the permit; and that indicates the intent of the person's presence in Iowa is something other than merely transitory in nature;

3. A document that contains the name, place of residence, date of birth and photograph of the holder issued by or under the authority of the United States, a state or a political subdivision of a state; that is of a type intended or commonly accepted for the purpose of identification of individuals and at least one current document indicating Iowa residency, including a residential lease agreement, utility bill, voter registration, tuition receipt for a college or university in Iowa, or other documentation that is acceptable to the officer issuing the permit; and that indicates the intent of the person's presence in Iowa is something other than merely transitory in nature;

4. A motor vehicle license or nonoperator identification card that contains a photograph of the person and that has been issued by a state other than Iowa and a document indicating that the person is a member of the United States armed forces on active duty and whose permanent duty station is located in Iowa; or

5. A driver's license or nonoperator identification card that contains a photograph of the person and that has been issued by the department of transportation and an immigration document containing the alien registration number (ARN) of a permanent resident alien or nonimmigrant alien and documentation indicating that the person has resided in the state for at least 90 consecutive days prior to the person's making application. A nonimmigrant alien shall also be required to display a valid hunting license issued in any state, meet the requirements of an exception pursuant to 18 U.S.C. §922(y)(2), or display a waiver granted by the United States Attorney General.

"Identification documentation for a nonresident" means a motor vehicle license or nonoperator identification card that has been issued by a state other than Iowa and that contains a photograph of the person to whom it was issued.

"Initial familiarization firearm and course of fire training" means a training course of fire with a handgun, which is intended to familiarize, exercise, and improve a person's judgment, reaction, and firearms proficiency under stress when various conditions are present. A variety of scenarios and exercises may be utilized during familiarization course exercises.

"IOWA system" means the Iowa on-line warrants and articles criminal justice information system operated by the department of public safety for use by law enforcement and criminal justice agencies in the exchange of criminal history and other criminal justice information.

"Misdemeanor crime of domestic violence" means the same as defined in 27 CFR 478.11.

"New application" means an application for an Iowa professional permit to carry weapons or an educator professional permit that is filed when the applicant does not currently hold an Iowa permit to carry weapons or an educator professional permit or when the applicant does not file the application at least 30 days prior to the expiration of a currently held Iowa permit to carry weapons.

"NICS" means the National Instant Criminal Background Check System established by the United States Attorney General pursuant to 18 U.S.C. §922(t).

"Professional permit to carry weapons" means a permit to carry weapons issued pursuant to Iowa Code section 724.6(1)*"a"*(1), *"a"*(2), *"a"*(3), or *"a"*(4). Such a permit is valid only while the permitted person is engaged in the employment stated on the permit and while the person is traveling to and from that employment.

"Qualification course of fire" means a specifically designated course of fire with the firearm the person will carry in the person's capacity as an educator professional permit holder that measures and documents the firearms proficiency level of the person. A preestablished qualifying score determines the proficiency that impacts the educator professional permit holder's authorization to carry the firearm in the course of the person's duties as an educator professional permit holder. The qualification course of fire standards are the standards adopted by the Iowa law enforcement academy for certified law enforcement in-service handgun qualification.

"Qualifying on a firing range for educator professional permits" means successful completion of an approved initial familiarization firearm and course of fire training and subsequent quarterly requirements of live fire on a firing range.

"Qualifying on a firing range for professional permits to carry weapons" means successful completion of a course of live fire on a firing range under the supervision of an instructor certified by the National Rifle Association, the Iowa law enforcement academy, or another state's department of public safety, state police department, or similar certifying body.

"Quarterly" means a period of three calendar months ending on March 31, June 30, September 30, or December 31.

"Renewal application" means an application for an Iowa professional permit to carry weapons filed at least 30 days prior to the expiration of a currently held permit.

"State employee" means a person whose need to go armed arises out of employment by the state of Iowa. "State employee" includes a railroad special agent as described in Iowa Code chapter 80.

"Unlawful user of or addicted to any controlled substance" means the same as defined in 27 CFR 478.11.

661—91.2(724) Forms. The following forms, the use of which is required by provisions of this chapter, are provided by the commissioner to Iowa sheriffs:

1. Form WP3. Application for Permit to Acquire Pistols or Revolvers.
2. Form WP5. Application for Permit to Carry Weapons.
3. Form WP6. Revocation/Cancellation of Permit to Carry/Permit to Acquire Weapons.
4. Form WP13. Application for Educator Professional Permit.
5. Form WP14. Notification of Completion of Required Quarterly Training Recruitments for Educator Professional Permit.
6. Form WP15. Application for Approval of Educator Professional Permit Curriculum.
7. Form WP16. Handgun Marksmanship Training Drills.

661—91.3(724) Federal and state prohibitions—permit to carry weapons.

91.3(1) Federal firearm prohibitors are provided in 18 U.S.C. §922(g) and §922(n).

91.3(2) Iowa Code chapter 724 provides persons ineligible for permits to carry weapons and prohibits the issuance of an Iowa professional permit to carry weapons to any person:

a. Who is less than 18 years of age;

b. Who is addicted to the use of alcohol;

c. For whom probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others;

d. Who has been convicted of a felony in a state or federal court or who has been adjudicated delinquent on the basis of conduct that would constitute a felony if committed by an adult;

e. Who is subject to a court order that:

(1) Was issued after a hearing for which such person received actual notice and at which such person had an opportunity to participate;

(2) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person or from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(3) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

f. Who has been convicted in any court of a misdemeanor crime of domestic violence; or

g. Who has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in Iowa Code chapter 708 not involving the use of a firearm or explosive.

661—91.4(724) Application procedures for an Iowa professional permit to carry weapons.

91.4(1) A nonresident of Iowa, educator permit applicant, or a state employee who is required by employment to go armed may apply to the commissioner for a professional permit to carry weapons. The applicant shall comply with all of the following:

a. Submit a fully and accurately completed and signed application for permit to carry weapons.

b. Submit firearm training documentation for a professional permit. For a new application, other than an educator professional permit application, training may have occurred within 24 months prior to the submission of the application.

c. Submit the required fee:

(1) $50 for a new application, or

(2) $25 for a renewal application.

d. Display identification documentation as defined in rule 661—91.1(724) or provide a photocopy thereof.

91.4(2) The commissioner will return an incomplete application to the applicant.

661—91.5(724) Issuance or denial of application for permit to carry weapons.

91.5(1) Upon receipt of a completed application for a permit to carry weapons, a professional permit to carry weapons, or an educator professional permit, a background check shall be conducted to determine whether the applicant is prohibited.

91.5(2) Within 30 days, the commissioner shall approve or deny an application submitted pursuant to subrule 91.4(1). The commissioner's failure to act within 30 days of receipt of a complete application shall result in an application's being deemed to have been approved.

91.5(3) A permit issued pursuant to this chapter may be delivered, at the discretion of the applicant, to the applicant by U.S. mail or may be picked up personally by the applicant or a person designated by the applicant.

91.5(4) In the event an application is denied pursuant to this chapter, the commissioner shall issue a written statement of the reasons for the denial.

91.5(5) The commissioner may conduct a background check annually on a person issued a permit to carry weapons pursuant to this chapter.

661—91.6(724) Suspension or revocation of permit to carry weapons.

91.6(1) When the commissioner finds that a person who has been issued a permit to carry weapons has been arrested for a disqualifying offense or is the subject of proceedings that could lead to the person's ineligibility for such permit, the commissioner may immediately suspend the permit.

91.6(2) A permit holder shall be notified immediately of such suspension by personal service or certified mail. The suspension shall become effective upon the permit holder's receipt of such notice. If the permit holder is notified by personal service, the permit shall be surrendered to the person serving such notice for return to the commissioner. If notified by certified mail, the permit holder will be instructed to return the permit to the commissioner.

91.6(3) If the arrest or proceeding does not result in a disqualifying conviction or finding against the permit holder, the commissioner shall immediately reinstate the permit upon proof of the matter's final disposition and shall return the permit to the permit holder.

91.6(4) If the arrest or proceeding results in a disqualifying conviction or finding against the permit holder, the commissioner shall revoke the permit.

661—91.7(724) Appeals.

91.7(1) If the commissioner denies, suspends or revokes a professional permit to carry weapons or an educator professional permit for any reason other than the federal disqualifiers in subrule 91.3(1)

or 91.3(2) or the reasons in paragraph 91.3(3)*"e"* or *"f,"* the applicant or permit holder may file a contested case pursuant to 7—Chapter 2506.

91.7(2) If the commissioner denies, suspends or revokes a professional permit to carry weapons solely for one or more of the federal disqualifiers in subrule 91.3(1) or 91.3(2) or the reasons in paragraph 91.3(3)*"e"* or *"f,"* the applicant or permit holder may pursue relief of the NICS determination pursuant to Public Law 103-159.

91.7(3) The outcome of proceedings conducted pursuant to subrule 91.7(2) shall be binding on the commissioner.

661—91.8(724) Reports and remittance to the state.

91.8(1) Each sheriff shall remit to the commissioner, by the seventh working day of the month that follows the month in which one or more permits to carry a weapon were issued, information about such permits, including the permit holder's name, date of birth, NICS transaction number, type of permit issued and portion of the fee to be remitted to the department as required by the Iowa Code.

91.8(2) Fees for each reporting period shall be remitted by the sheriff and shall be in the form of a check made payable to Iowa Department of Public Safety.

661—91.9(724) Offensive weapons as collector's items—method of classification. An offensive weapon, other than a machine gun, shall be classified by the commissioner as a collector's item when the firearm is so defined as a curio or relic in 27 CFR 478.11 as published April 1, 2010.

661—91.10(724) Application for approved training organization for permits to carry weapons.

91.10(1) Firearm training organizations seeking approval by the department of public safety to certify individuals as handgun safety training instructors eligible to offer handgun safety training shall meet the criteria outlined in this rule, such as the years of training experience of the organization's primary point of contact or owner, and shall maintain student records, an active website URL, and the ability of the organization's instructors and primary point of contact or owner to legally possess and carry firearms. A firearm training organization seeking approval shall submit the following:

a. A certificate of existence from the secretary of state issued within 60 days of application or, if a non-Iowa corporation, a certificate of authority to do business in Iowa.

b. The course syllabi or lesson plans and the goals or objectives, which shall:

(1) Show, for instructor certification courses, that instructor candidates who successfully complete the courses possess knowledge, competence, and demonstrated proficiency in the area of handgun safety instruction and operation

(2) Demonstrate, for general student courses, that students will receive the basic requirements for a permit to carry a weapon as established by the department of public safety. The courses shall include instruction in the following:

1. Current Iowa laws related to use of deadly force, reasonable force, defense of home, and defense of property;
2. Basic handgun safety, safe handling, safe storage, and safe cleaning; and
3. Handgun nomenclature and the operation of pistols and revolvers.

c. A copy of:

(1) The certificate to be issued by the organization to instructors who complete the program.

(2) The résumé and firearm-related training credentials of the individual serving as the organization's primary point of contact or owner, which shall demonstrate a minimum of five years of cumulative experience as a firearm instructor. This experience shall include firearm instructor duties related to military service or firearm instructor certification by the National Rifle Association or by an organization approved by the department of public safety pursuant to Iowa Code section 724.9A or by the Iowa law enforcement academy or another state's department of public safety, state police department, or similar certifying body.

d. A written description of how the organization will maintain:

(1) Instructor records.

(2) Proficiency of instruction, including staying abreast of statutory changes that may affect what is being taught, and will ensure the instructional practices and integrity of instructors.

e. The URL of a website containing a list of certified instructors or an electronic application that allows users to search and validate instructor credentials.

f. An application processing fee of $500 (the certification of approval is valid for five years).

91.10(2) A firearm training organization seeking to renew its certification of approval must submit:

a. Current lesson plans or course syllabi and course goals or objectives.

b. A certificate of existence from the secretary of state issued within 60 days of application or, if a non-Iowa corporation, a certificate of authority to do business in Iowa.

c. A copy of the updated credentials of the organization's primary point of contact or owner (submit all documentation demonstrating qualification to provide oversight of firearm training instructors). These credentials must include a minimum of five years of verifiable firearm instructor experience.

d. An application processing fee of $500 (the certification of approval is valid for five years).

91.10(3) The department of public safety may deny, suspend, or revoke the certification of approval of a firearm training organization if the department has reason to believe that the organization or its primary point of contact or owner has:

a. Become ineligible to possess a firearm under Iowa Code chapter 724 or federal law;

b. Knowingly and willfully provided false information to the department;

c. Provided instruction contrary to the established and approved curriculum; or

d. Failed to meet any portion of the instructor certification guidelines as originally approved.

91.10(4) An applicant for certification as a firearm training organization or a certified firearm permit-to-carry instructor has the same appeal rights as set forth in rule 661—91.7(724).

661—91.11(724) Application procedures for an Iowa educator professional permit.

91.11(1) A person who is an employee of a school district, a private school, or an institution of higher education as defined in Iowa Code section 722.11 may apply to the commissioner for an educator professional permit. The applicant shall comply with all of the following:

a. Submit a fully and accurately completed and signed application for an educator professional permit to carry weapons, including documentation of a firearm safety training course provided in Iowa Code section 724.9(1), or proof of current permit to carry.

b. Submit firearm training documentation from the initial live familiarization firearm and course of fire training. For a new application, training must have occurred within the 12-month period prior to the application.

c. Submit documentation of the training required by Iowa Code section 724.6(1)*"a"*(3).

d. Submit the required fee of $50 per application.

e. Display identification documentation as defined in rule 661—91.1(724) or provide a photocopy thereof.

f. Authorize communication between the employing school district and the department for purposes of complying with this chapter. Any correspondence between the school and the department shall not be considered public record.

91.11(2) The commissioner will return an incomplete application to the applicant.

661—91.12(724) Suspension or revocation of an educator professional permit.

91.12(1) When the commissioner finds that a person who has been issued an educator professional permit has been arrested for a disqualifying offense or is the subject of proceedings that could lead to the person's ineligibility for such permit, the commissioner may immediately suspend the permit.

a. If the arrest or proceeding does not result in a disqualifying conviction or finding against the permit holder, the commissioner shall immediately reinstate the educator professional permit upon proof of the matter's final disposition and shall return the permit to the permit holder.

b. If the arrest or proceeding results in a disqualifying conviction or finding against the permit holder, the commissioner shall revoke the permit.

91.12(2) When the commissioner discovers that a person has failed to provide the required annual and quarterly training records in a timely manner, the commissioner will suspend the educator professional permit and may, at the commissioner's discretion, provide the person 30 days to provide the required training documentation. If training documentation is not received after the thirtieth day, the commissioner shall revoke the educator professional permit.

a. If the suspension was for failing to provide training records, and training records indicating training was completed in accordance with Iowa Code section 724.6 are subsequently provided to the department of public safety within 30 days after the educator professional permit holder was notified of the suspension, the commissioner will immediately reinstate the educator professional permit and return the permit to the permit holder.

b. If the educator professional permit holder fails to complete the training required under these rules or fails to provide training documentation to the department of public safety, the commissioner will revoke the permit.

91.12(3) An educator professional permit holder will be notified immediately of such suspension by personal service or certified mail. The suspension becomes effective upon the educator permit holder's receipt of such notice. If the educator permit holder is notified by personal service, the educator professional permit will be surrendered to the person serving such notice for return to the commissioner. If notified by certified mail, the educator professional permit holder will be instructed to return the permit to the commissioner.

91.12(4) Notification of an educator professional permit suspension or revocation will be provided to the superintendent of the school in which the educator professional permit holder is employed.

661—91.13(724) Approval of required training for educator professional permit. Persons or organizations may provide one or more of the trainings required for an educator professional permit. Persons or organizations seeking approval by the department of public safety to provide training required by Iowa Code section 279.84(2), 279.84(3), or 724.6(1)*"a"*(3) will submit the following on department of public safety Form WP15:

91.13(1) The course syllabi or lesson plans and the goals or objectives for student courses as outlined, which demonstrate that students will receive the basic requirements for the required course.

91.13(2) Identification of the person providing the training and sufficient information to determine that the person is competent to provide the training.

661—91.14(724) Educator professional permit training requirements.

91.14(1) To receive an educator professional permit, the applicant must submit proof of successful completion of the following training courses:

a. One-time, in-person legal training as described in rule 661—91.15(724).

b. In-person emergency medical training as described in rule 661—91.16(724).

c. In-person communication training as described in rule 661—91.17(724).

d. In-person live scenario training as described in rule 661—91.18(724).

e. Initial live familiarization firearm and course of fire training as described in rule 661—91.19(724).

91.14(2) To maintain an educator professional permit, the permit holder must submit proof of successful completion of the following annual training courses:

a. Annual in-person emergency medical training as described in rule 661—91.16(724).

b. Annual in-person communication training as described in rule 661—91.17(724).

c. Annual in-person live scenario training as described in rule 661—91.18(724).

91.14(3) To maintain an educator professional permit, in addition to the above requirements, the permit holder must submit proof of successful completion of quarterly live firearm training, including successful completion of the prescribed qualification course.

91.14(4) All trainings shall be submitted to the department of public safety program services bureau via email at wpinfo@dps.state.ia.us.

661—91.15(724) Curriculum for one-time legal training for an educator professional permit. The one-time, in-person legal training for an educator professional permit shall be at minimum three hours and shall include all of the following information:

1. Parameters and limitations of the educator professional permit, including areas of potential liability, and requirements to maintain the permit.
2. State and federal law regarding legal principles of use of force and use of force generally, including modern principles of continuum of force.
3. State and federal laws regarding qualified immunity.
4. State law regarding the Iowa municipal tort claims Act.
5. Workers' compensation law with regard to school critical incidents.

661—91.16(724) Curriculum for annual emergency medical training for an educator professional permit.

91.16(1) Annual live, in-person emergency medical training for an educator professional permit shall be at minimum three hours and will include all of the following information and practical experience:

a. Cardiopulmonary resuscitation (CPR) and cardiac arrest management, including the use of an automated external defibrillator (AED).

b. Basic knowledge of first aid and trauma care, including casualty assessment, hemorrhage control, and assessment and initial treating of penetrating chest and abdominal wounds.

c. Basic knowledge and skills necessary to stop/slow life-threatening blood loss.

91.16(2) A current certification for CPR and first aid shall satisfy two hours of the required training.

661—91.17(724) Curriculum for annual communication training for an educator professional permit. The annual in-person communication training for an educator professional permit shall be at minimum two hours and shall include all of the following information:

1. De-escalation techniques, crisis intervention techniques, and the applicability and limitations of those techniques.
2. Communication capabilities and coordination, including principles of proper communication to first responders, such as communication of location, condition(s), actions, and needs.
3. Reporting of potential school threats, including to the governor's school safety bureau of the department of public safety and the Safe+Sound app.

661—91.18(724) Curriculum for annual live scenario training for an educator professional permit. The annual in-person live scenario training for an educator professional permit shall be at minimum 12 hours and will include all of the following information and practical experience:

1. Psychology of critical incidents.
2. Tactics of responding to critical incidents in schools.
3. Weapon retention.
4. Scenario-based or simulated training exercises, including both close-quarters and hallway scenarios.

661—91.19(724) Curriculum for firearms training for an educator professional permit. In-person firearms training for an educator professional permit shall consist of an initial live familiarization

firearm and course of fire training for new educator professional permit applicants and quarterly continued training after the completion of the initial training.

91.19(1) Educator professional permit holders shall meet the minimum level of proficiency as established by department of public safety rules in the use of any weapon used in the capacity as an educator professional permit holder.

91.19(2) Initial live familiarization firearms and course of fire training, not including the qualification course of fire, will be at minimum 20 hours and will include all of the following:

a. Weapon safety, including but not limited to:

(1) Treating all firearms as if they are loaded,

(2) Pointing the muzzle in a safe direction at all times,

(3) Keeping fingers outside the trigger guard until the person's aim is on target and the person has decided to fire, and

(4) Being sure of the target and what is beyond.

b. Principals of good marksmanship, including but not limited to:

(1) Sight picture,

(2) Trigger squeeze,

(3) Proper stance,

(4) Drawing of the weapon,

(5) Grip of the weapon,

(6) Breathing,

(7) Follow-through, and

(8) Recovery.

c. Dry drills, including but not limited to:

(1) Administrative load,

(2) Combat load,

(3) Tactical load,

(4) Temporary stoppage drill,

(5) Double feed drill, and

(6) Holstering and reholstering.

d. Handgun marksmanship training, including but not limited to the drills prescribed by the department of public safety on Form WP16.

91.19(3) The qualification course of fire will be completed at the end of the initial live familiarization course and at each subsequent quarterly firearms training. This course must be completed utilizing the firearm that will be used in the person's capacity as an educator professional permit holder. The qualification course consists of the standards adopted by the Iowa law enforcement academy for the certified officer in-service handgun qualification course.

91.19(4) If a person fails to successfully satisfy the qualification course of fire after the second attempt, the person must retake the initial familiarization firearm and course of fire training and attempt the qualification course of fire again. If the person fails to successfully satisfy the qualification course of fire after the remedial training, the person must wait until the following quarter and may attempt again as if the person is a first-time applicant.

These rules are intended to implement Iowa Code chapter 724.

RA 26-276

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 121
"Bail Enforcement, Private Investigation, and Private Security Businesses"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 80A.15
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 80A

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 4 to 4:30 p.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 121 and adopt a new chapter in lieu thereof. The purpose of this proposed chapter is to administer the bail enforcement, private investigation, and private security statute (Iowa Code chapter 80A). These rules provide requirements and procedures for any person or organization seeking to obtain a license in Iowa under Iowa Code chapter 80A.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Any person or organization seeking to obtain a license in Iowa under Iowa Code chapter 80A will bear the costs of this rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Any person or organization seeking to obtain a license in Iowa under Iowa Code chapter 80A will benefit from this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Pursuant to Iowa Code sections 80A.5 and 80A.7, a fee of $100 for each agency license requested, plus $10 for each application form for an employee identification card requested, must be submitted

to the Department in order to complete the application process. A nonrefundable fee to cover the cost of processing fingerprint cards through the Federal Bureau of Investigation (FBI) must be submitted with each new or renewal application and with each application subsequent to a license cancellation or revocation.

- **Qualitative description of impact:**

Persons or organizations seeking a license in Iowa will be responsible for applying and ensuring all requirements are met.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Inaction could lead to confusion on how to become a licensed person or organization under Iowa Code chapter 80A.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 121 and adopt the following **new** chapter in lieu thereof:

CHAPTER 121
BAIL ENFORCEMENT, PRIVATE INVESTIGATION, AND PRIVATE SECURITY BUSINESSES

661—121.1(80A) Licensing. The administrative services division administers the bail enforcement, private investigation and private security statute. Any questions, comments, information, requests for information, or application for a license or an identification card should be directed to the Program Services Bureau, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319, or, with the exception of applications, by email to piinfo@dps.state.ia.us.

661—121.2(80A) Definitions. As used in this chapter unless the context otherwise requires:

"Aggravated misdemeanor" means an offense so defined in the Iowa Code or an offense committed in another jurisdiction with a penalty of imprisonment for two years or more.

"Background investigation" means the actions taken by the department to verify that the applicant for a license or employee identification card meets the requirements. Such actions include but are not limited to inquiries to the Iowa on-line warrants and articles (IOWA) criminal justice information system for outstanding arrest warrants, active protection orders, sex offender registry records and Iowa criminal history records. A background investigation shall also include the submission of fingerprints of the applicant to the FBI for a nationwide criminal history record check.

"Bail enforcement agent" means the same as defined in Iowa Code section 80A.1(1).

"Bail enforcement business" means the same as defined in Iowa Code section 80A.1(2).

"Chief law enforcement officer" means the same as defined in Iowa Code section 80A.1(3).

"Commissioner" means the commissioner of the department of public safety or the commissioner's authorized designee.

"Conviction resulting from domestic abuse" means a conviction at any level in any jurisdiction if the conviction has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent or guardian of the victim; by a person with whom the victim shares a child in common; by a person who is cohabiting with or has cohabited with the victim as a spouse, parent or guardian; or by a person similarly situated to a spouse, parent, or guardian of the victim. Applicable convictions may include but are not limited to crimes of assault, domestic assault, domestic abuse assault, battery, and disorderly conduct and other crimes meeting this definition.

"Defendant" means the principal on a bail bond issued or deposit filed in relation to a criminal proceeding in order to ensure the presence of the defendant at trial.

"Department" means the department of public safety.

"Duplicate license" means a license that is issued to substitute for a license that has been lost or destroyed, except that a "duplicate license" shall not mean a "replacement license" as defined herein.

"Felony" means an offense defined as a felony by the jurisdiction in which the offense was committed.

"Moral turpitude" is an act of baseness, vileness, or depravity or conduct that is contrary to justice, honesty, or good morals. Examples of moral turpitude may include but are not limited to the following:

1. Any act or pattern of conduct involving dishonesty, fraud, or deception;
2. Any act of conducting a bail enforcement, private investigative or private security business in violation of Iowa Code chapter 80A, whether in Iowa or another jurisdiction, or a determination from another jurisdiction that the individual or entity has violated the bail enforcement, private investigative, or private security laws, rules, or regulations of that jurisdiction;
3. Any act or pattern of conduct of harassment or stalking;
4. Any criminal act of sexual misconduct;
5. Any illegal act of selling, delivery, possession with intent to deliver, or manufacturing drugs;
6. Conviction resulting from domestic abuse.

"Peace officer" means any such individual as designated by Iowa Code section 801.4(11).

"Person" means an individual, partnership, corporation, or other business entity.

"Private investigation business" means the business of making, for hire or reward, an investigation for the purpose of obtaining information on any of the following matters:

1. Crimes or wrongs that are committed or threatened.
2. The habits, conduct, movements, whereabouts, associations, transactions, reputation, or character of a person.
3. The credibility of witnesses or other persons.
4. The location or recovery of lost or stolen property.
5. The cause or origin of or responsibility for fires, accidents, or injuries to property.
6. The truth or falsity of a statement or representation.
7. The detection of deception.
8. The securing of evidence to be used before authorized investigating committees, boards of award or arbitration or in the trial of civil or criminal cases.
9. The locating of owners or heirs of unclaimed funds.

"Private investigative agency" means the same as defined in Iowa Code section 80A.1(10).

"Private security agency" means the same as defined in Iowa Code section 80A.1(11).

"Private security business" means the same as defined in Iowa Code section 80A.1(12).

"Proof of financial responsibility" means proof of the ability of a licensee to respond in damages for liability on account of accidents or wrongdoings occurring subsequent to the effective date of the proof, arising out of ownership and operation of a bail enforcement business, private security business or private investigation business.

"Replacement license" means a license that is issued to substitute for a license that has been lost or destroyed as a result of damage from flooding, storms or other conditions that form a basis for issuance of a disaster emergency proclamation by the governor pursuant to Iowa Code section 29C.6.

"Reserve peace officer" means the same as defined in Iowa Code section 80D.1A(5).

"Uniform" means a manner of dress that is of a particular style and distinctive appearance as distinguished from ordinary clothing customarily used and worn by the general public and that clearly identifies the person as an employee of a licensed agency.

661—121.3(80A) Persons exempt. This chapter does not apply to the following:

121.3(1) An officer or employee of the United States, or a state, or a political subdivision of the United States or of a state while the officer or employee is engaged in the performance of official duties or an employee of a contractor or subcontractor with a federal agency while performing duties pursuant to a contract with the federal agency.

121.3(2) A peace officer engaged in the private security business or the private investigation business with the knowledge and consent of the chief executive officer of the peace officer's law enforcement agency.

121.3(3) A person employed full- or part-time exclusively by one employer in connection with the affairs of the employer.

121.3(4) An attorney licensed to practice in Iowa, while performing duties as an attorney.

121.3(5) A person engaged exclusively in the business of obtaining and furnishing information regarding the financial rating or standing and credit of persons.

121.3(6) A person exclusively employed in making investigations and adjustments for insurance companies. This exemption does not apply to persons who contract with a third party, such as an attorney or a broker, to conduct investigations on behalf of insurance companies. However, this exemption does apply to independent contractors who contract directly with insurance companies and exclusively conduct insurance investigative work.

121.3(7) A person who is the legal owner of personal property that has been sold under a security agreement, or a conditional sales agreement, or a secured party under the terms of a security interest while the person is performing acts relating to the repossession of the property.

121.3(8) A person engaged in the process of verifying the credentials of physicians and allied health professionals applying for hospital staff privileges.

121.3(9) A person engaged in the business of retrieval and dissemination of public record information.

121.3(10) A person engaged in the business of process service in either a criminal or civil action, where the determination of the whereabouts of the person is only incidental to the service of process.

121.3(11) The business of repossession or recovery of property, including debt collection, where the determination of the whereabouts of the person is only incidental to the repossession or collection.

121.3(12) A person engaged in the business of genealogical research.

121.3(13) A person who sells, installs, maintains, repairs or monitors burglar alarm systems at protected premises or premises to be protected.

121.3(14) Peace officers operating as private investigators and private security guards pursuant to Iowa Code sections 80A.2, 80A.4(1)*"b,"* and 80A.4(3). The department interprets these three references, when read in concert, to mean the following:

a. An individual peace officer may conduct private investigation business or private security business with permission of the officer's chief executive, without securing either a state license or an identification card.

b. Two or more peace officers may form a partnership to conduct private investigation business or private security business without securing either a state license or an identification card. The partnership, association, or business may employ other peace officers to conduct investigation or security functions; however, the chief executive of each partner, association member, owner, or employee must give permission to engage in the business.

c. A partnership owned and operated by peace officers cannot employ nonpeace officers to perform investigation or security functions.

d. An agency licensed by the department cannot have any peace officers involved in the ownership or management of the agency.

e. An agency licensed by the department cannot employ a peace officer to do investigative or security functions.

f. No corporation in the private security or private investigation business is exempt from the license or identification card requirement or limitations on the employment of peace officers.

121.3(15) A person engaged in the business of transporting prisoners under a contract with the department of corrections or a county sheriff, a similar agency from another state, or the federal government.

121.3(16) A person engaged exclusively in the business of providing courier service and who does not wear the uniform or use a marked motor vehicle of a licensed private security agency.

661—121.4(80A) Licenses. Each person who engages in the operation of a bail enforcement, private investigation, or private security business in this state shall be licensed prior to such activity. Each business requires a separate license. For a license to be valid, the business shall have at least one current valid licensee who is a director, officer, partner or person who is involved in the business in Iowa.

121.4(1) *Jurisdiction.* Any private investigative, private security, or bail enforcement business shall be licensed in Iowa if it is conducting business in Iowa. The department will consider the following factors when determining jurisdiction:

a. Whether the private investigative, private security, or bail enforcement business has an office or place of business in Iowa, is organized in Iowa, or conducts business in Iowa.

b. Whether services are provided to a client who resides in Iowa, is organized in Iowa, or has an office or place of business in Iowa, provided that some of the services are conducted in Iowa.

c. Types of activities that are viewed as demonstrating jurisdiction in Iowa include but are not limited to the following:

(1) A private investigation business conducts an investigation that occurs entirely or partially in Iowa.

(2) A private investigation business investigates a criminal, civil, or administrative case that originates or is filed in Iowa.

(3) A private security business conducts security at any location in Iowa.

(4) A bail enforcement business takes into custody, or attempts to take into custody, a defendant in an Iowa criminal case.

(5) A business provides bodyguard service to a person who resides in or regularly does business in Iowa.

(6) A business provides armored car service to a client who resides in or does business in Iowa if part of the services are conducted in Iowa.

d. Types of activities that are not, by themselves, viewed as demonstrating jurisdiction in Iowa include but are not limited to the following:

(1) A non-Iowa-based private investigation business works on a criminal, civil, or administrative case that originates and is filed in another state but that contains some investigative elements in Iowa.

(2) A non-Iowa-based business provides bodyguard service to a client who does not reside in Iowa and only occasionally does business in Iowa.

(3) A bail enforcement business takes into custody, or attempts to take into custody, a defendant in a criminal case filed in another state.

e. The fact that a business uses the internet to retrieve public record information from Iowa databases does not, absent other factors, establish jurisdiction in Iowa.

121.4(2) *Forms.* An applicant for a license or identification card shall completely execute forms provided by the department. The forms used in the administration of this chapter are as follows:

a. Application for Bail Enforcement Agency License, Private Investigative Agency License and/or Private Security Agency License, Form #PD1.

b. Identification Card Application for: Private Investigator/Private Security Guard/Bail Enforcement Agent, Form #PD2.

c. Application for License Renewal, Form #PD3.

d. FBI Fingerprint Card, Form #FD–258.

e. Limited Liability Company, Form #PD5.

f. License Surety Bond, Form #PD6.

g. Corporate Information, Form #PD7.

h. Identification Card, Form #PD8.

121.4(3) *Application requirements.* An applicant for a license as a bail enforcement agency, private investigative agency or private security agency must submit the following to complete the application process:

a. A completed Application for Bail Enforcement Agency License, Private Investigative Agency License and/or Private Security Agency License (Form #PD1) for a licensee or licensees.

(1) With respect to an applicant that is a corporation, Form #PD1 must be completed by an officer, director, or designated employee who is actively involved in the licensed business in Iowa.

(2) With respect to an applicant that is a partnership or association, Form #PD1 must be completed by a partner, association member, or designated employee.

b. Two completed Fingerprint Cards (Form #FD–258) or fingerprint submission utilizing a department-approved fingerprint vendor and the associated processing fees for each licensee identified in paragraph 121.4(3)*"a."*

c. A completed surety bond form (Form #PD6) issued by a surety company authorized to do business in this state.

d. If the applicant is a corporation, a completed Corporate Information form (Form #PD7).

e. A color photograph of the head and shoulders of each individual identified in paragraph 121.4(3)*"a"* taken not more than one year prior to application.

f. A fee of $100 for each agency license requested, plus $10 for each application form for an employee identification card (Form #PD2) requested pursuant to this subrule.

g. Proof of financial responsibility.

h. Pictures, photocopies or physical descriptions of all uniforms, hats, badges, and insignia to be used by the private security agency.

i. If the applicant is a limited liability company, a completed Limited Liability Company form (Form #PD5).

121.4(4) *Abandonment of applications.* If an applicant for an agency license fails to complete the application within three months after it has been filed, the application shall be deemed abandoned. Any application submitted subsequent to the abandonment of a former application shall be treated as a new application and must be filed in accordance with subrule 121.4(4).

121.4(5) *Proof of financial responsibility.*

a. Proof of financial responsibility shall be given by filing a certificate of insurance from a licensed insurance company demonstrating coverage for general liability or professional liability, completed operations, and personal injury.

b. The certificate shall provide that the insurance shall not be modified or canceled unless 30 days' prior notice is given to the department. Licensees shall have no more than 30 days following any specified expiration dates to comply with insurance requirements. The license shall be automatically revoked if the licensee has not complied with the certificate of insurance requirement within the 30 days.

661—121.5(80A) License requirements. In order to be considered for a license, the applicant must meet the requirements of Iowa Code section 80A.4; not have been convicted by any court of illegally using, carrying, or possessing a dangerous weapon; and not have a history of mental illness or instability. For purposes of that section, consideration of whether an applicant is of good moral character includes but is not limited to:

a. Any of the applicant's references indicating the applicant is not of good moral character;

b. The sheriff of the county of residence or business or the police chief of the city of residence or business so indicating in writing;

c. The applicant's failing to discharge just obligations;

d. The applicant's writing a check on an account with knowledge that there are insufficient funds to cover it;

e. The applicant's failing to pay employees wages legally due the employees;

f. The applicant's knowingly obstructing justice or interfering in the lawful duties of a peace officer or with any official investigation;

g. Unless rendered confidential by law, the applicant's failing to report:

(1) A serious crime, or

(2) The location of any stolen property;

h. The applicant's committing an act that involves moral turpitude, whether or not a criminal conviction occurred;

i. The applicant's being subject to any court order that restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, and includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child or explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury;

j. The applicant's being a registered sex offender in any jurisdiction;

k. The applicant's being the subject of any arrest warrant, mittimus or other court order for detention in any jurisdiction.

661—121.6(80A) Identification cards.

121.6(1) Each person employed by and engaged in the business of a licensed bail enforcement, private investigative or private security agency must obtain an employee identification card from the

department and must meet the standards established in Iowa Code section 80A.4. However, applicants for employee identification cards are not required to comply with surety bond or proof of financial responsibility requirements since those requirements have already been met by the licensed agency. For purposes of this rule, an employee who is required to obtain an identification card from the department is an agent or employee of a licensed agency who is engaged in the activities of the business that render it subject to the regulation of Iowa Code chapter 80A. Employees who are engaged exclusively in the unregulated activities of a licensed agency are considered exempt from this standard. Such exempt activities include clerical work, dispatching, building maintenance, vehicle maintenance, payroll and other financial processing, selling and taking tickets, parking cars and other activities that do not provide direct security services and that are generally conducted away from a contracted job site.

121.6(2) To obtain an employee identification card, the licensed agency shall submit:

a. A completed Identification Card Application for: Private Investigator/Private Security Guard/ Bail Enforcement Agent, Form #PD2;

b. A color photograph of the head and shoulders of the applicant; and

c. Two completed Fingerprint Cards (Form #FD–258) or fingerprint submission utilizing a department-approved fingerprint vendor with the associated processing fees.

661—121.7(80A) License and background investigation fees.

121.7(1) A fee of $100 shall accompany each application for a bail enforcement, private investigative or private security license. If the application is approved, the money shall be applied to the license fee; if the application is disapproved, the deposited application fee shall be refunded to the applicant. Application fees shall not be refunded for abandoned applications described in subrule 121.4(5) or for canceled, suspended or revoked licenses.

121.7(2) A nonrefundable fee to cover the cost of processing fingerprint cards through the FBI must be submitted with each new or renewal application and with each application subsequent to a license cancellation or revocation. If fingerprints are rejected as unreadable the first time they are submitted, they may be resubmitted once for no additional fee. If fingerprints are submitted twice and both submissions are rejected as unreadable, subsequent submissions shall require additional processing fees, which shall be included with the submissions. Information regarding fees may be obtained by contacting the department as provided in rule 661—121.1(80A).

661—121.8(80A) Display of license. Immediately upon receipt of the license issued by the department, the licensee named therein shall cause such license to be posted and at all times displayed in a conspicuous place in the licensee's principal place of business within the state, so that all persons visiting such place may readily see it. If there is more than one place of business, then there shall be a photocopy of the original license posted in every such place of business. The licensee shall notify the commissioner of each location where a copy of the license is posted. If the licensee has no office in the state of Iowa, the licensee shall post the license at the principal place of business and notify the commissioner of the address where such license is posted. It shall be unlawful for any person holding such license to post such license or to permit such license to be posted upon premises other than those authorized therein. Every license, and each copy thereof, shall be surrendered to the department within seven days after written notice to the holder that such license has been revoked. Failure to comply with any of the provisions of this rule is sufficient cause for revocation of the license.

661—121.9(80A) Duplicate license. The commissioner shall issue a duplicate license upon the payment of $5 and upon receiving a written statement that the original license has been lost, destroyed, stolen or otherwise rendered useless and that if the original license is recovered, the original or the duplicate will be returned immediately to the department.

661—121.10(80A) License renewal.

121.10(1) Each applicant for a license renewal must execute Form #PD3 provided by the department. This renewal form and two completed FBI Fingerprint Cards (Form #FD–258) shall be submitted to the commissioner not less than 30 days prior to expiration of the applicant's current license and shall not be processed unless complete. In order for the application to be complete, the applicant must satisfy the requirements of rules 661—121.4(80A), 661—121.5(80A), and 661—121.7(80A) and, for renewals of private investigation licenses, 661—121.21(80A).

121.10(2) In the event the department has not processed a complete renewal application prior to the lapse of the license, the renewal shall be deemed temporarily granted until the department issues a new license or denies the renewal.

a. In no event will a renewal license be granted if the application for renewal is received by the department after the expiration date of the existing license.

b. If the former licensee wishes to continue the bail enforcement, private investigative or private security business, all of the requirements for an initial application must be met.

661—121.11(80A) Employee identification cards.

121.11(1) The employee identification card issued by the commissioner shall include the employee's name and color photograph, agency name and number, type of business, date of issuance and identification card number.

a. The holder shall have this card in the holder's possession at all times when acting within the scope of employment. Failure to do so may result in suspension or revocation of the identification card or the agency license. This identification card shall remain the department's property. When any person to whom a card is issued terminates the person's position for any reason, the card must be surrendered to the commissioner within seven days. In the event of loss, destruction, or theft of this card, the licensee shall within five days of such discovery send to the commissioner a written report that describes the circumstances surrounding the loss, destruction, or theft. If the agency license has been terminated or revoked, the agency must return the license and all identification cards to the commissioner within seven days. The penalty for any knowing or willful misconduct in the use of the identification card may be revocation of the identification card or the agency license or both, depending on the nature and degree of the misconduct.

b. The fee for each application form (Form #PD2) for an original, temporary, or replacement employee identification card is $10.

c. A nonrefundable fee to cover the cost of processing fingerprint cards through the FBI shall be submitted with each new application for an employee identification card. If fingerprints are rejected as unreadable the first time they are submitted, they may be resubmitted once for no additional fee. If fingerprints are submitted twice and both submissions are rejected as unreadable, subsequent submissions shall require additional processing fees, which shall be included with the submissions.

121.11(2) Temporary identification cards. The Identification Card Application for: Private Investigator/Private Security Guard/Bail Enforcement Agent, Form #PD2, shall contain a temporary identification card that shall be valid for 14 calendar days from the date of issuance. This temporary identification card shall be issued to new employees of a licensee so that the requirement that employees have in their possession a valid identification card may be met while the application for a permanent identification card is being processed. The application for an employee identification card must be received by the department in sufficient time to allow four business days for processing. Any application for an employee identification card received by the department without the specified minimum time for processing or after the temporary identification card has expired will be voided. A new Form #PD2 must then be resubmitted under the requirements of rule 661—121.6(80A).

121.11(3) Replacement of identification cards. The commissioner shall issue a duplicate employee identification card upon the submission of a complete new application (Form #PD2), with associated fees as required in rule 661—121.6(80A) and upon receipt of a written statement that the original employee identification card has been lost, destroyed, stolen or otherwise rendered useless.

If the original employee identification card is recovered, it shall be returned immediately to the department.

121.11(4) Display of identification cards. When an employee of a licensed agency is acting within the scope of employment and is requested to produce identification, the employee shall promptly display the employee identification card and allow the requester to reasonably examine the identification card and write down any information contained thereon. Failure to comply may result in revocation of the identification card or license. The employee may refuse to comply with the request to produce identification if, and only if, displaying the employee identification card would put the employee or another person in danger or would jeopardize an assignment or investigation.

661—121.12(80A) Badges, uniforms, insignia, patches and hats. No holder of a license or identification card while performing the duties of a private security guard shall wear any uniform, or wear, display, or likewise use any badge, insignia, patch, shield, or the like, without prior written approval of the commissioner. Any person wearing an approved uniform shall carry a valid identification card issued by the department.

121.12(1) The commissioner will not approve any item subject to this rule if in the commissioner's opinion it would cause a person to confuse the operation of the licensed business with that of a law enforcement agency. The commissioner may consider the appearance of the badge, uniform, insignia, patch or hat of the requesting agency, as well as the appearance of badges, uniforms, insignias, patches or hats of law enforcement agencies in or near the area in which the requesting agency performs services. The commissioner may also consider any other information when making a decision regarding the approval of any item subject to this rule.

121.12(2) No badge, insignia, patch or hat will be approved that contains the word or words "police," "officer," "policeman," or "enforcement" or the Great Seal of the State of Iowa. The words "security" and "officer" may be used when they appear as the single term "security officer." The word "enforcement" may be used when it appears as the single term "bail enforcement."

661—121.13(80A) Advertisement, cards, letterhead and the like. No holder of a license or identification card shall use, display, cause to be printed or distributed in any fraudulent, false, or misleading manner cards, letterheads, circulars, brochures, or any other advertising material or advertisement in which any name or indicia of the license status of the licensee is set forth in any manner other than the name under which the licensee is duly licensed.

Such holder of a license or identification card shall not publish or cause to be published any advertisement, letterhead, circular or statement or phrase of any sort that suggests that the holder is a peace officer.

Any violation of this rule may result in suspension or revocation of the identification card or the license and possible referral for criminal prosecution.

661—121.14(80A) Misleading statements. No holder of a license or identification card may make any statement that indicates or tends to indicate the individual is a peace officer.

661—121.15(80A) Reports. Any private investigative agency licensee who provides services to any client in this state shall make and offer to the client a written report containing the findings and complete details of the investigation, a copy of which shall be retained by the licensee for three years and made available to the commissioner for examination at any reasonable time upon a complaint from the client for whom the report was prepared. In the event a client does not desire a written report, the licensee will note the time and date on the file copy of the report that the client stated no desire for a written report or refused the offer. A private security agency need not submit a written report unless the client requests one.

661—121.16(80A) Denial, cancellation, suspension, or revocation of a license or identification card.

121.16(1) *Actions by the commissioner.* The commissioner may deny, suspend, cancel or revoke a license or identification card(s) for any of the following reasons:

a. Failure to comply with all of the provisions of Iowa Code chapter 80A and 661—Chapter 121.

b. Receipt by the department of a certificate of noncompliance from the child support recovery unit of the department of health and human services, as provided for in Iowa Code chapter 252J.

c. Receipt by the department of written notice that the licensed agency is no longer conducting business and is abandoning the remaining term of the license.

121.16(2) *Voluntary suspension.* The commissioner may allow an agency to place its license in voluntary suspension and may reinstate the license when all requirements are met. The license shall expire at the time of renewal unless all requirements are met.

121.16(3) *Surrender of license and identification card(s).* Every license, and each copy thereof, and all employee identification cards shall be surrendered to the department within seven days after written notice to the holder that such license has been canceled, abandoned, suspended or revoked.

121.16(4) *Surrender of identification card(s).* An employee identification card shall be surrendered to the department within seven days after written notice to the licensee that such employee identification card has been canceled or revoked.

121.16(5) *Temporary denial or suspension.* An agency license or employee identification card shall be temporarily denied or suspended until the outcome of any pending action is known if the result of that action would disqualify the applicant, licensee or employee.

661—121.17(80A) Licensee's duty regarding employees. The licensee shall be held responsible for ascertaining that all the licensee's employees meet the requirements of the bail enforcement, private investigation and private security statute and rules.

The licensee shall report to the commissioner any violations of the statute and rules, and inconsistencies thereof, and take immediate steps to be in compliance with such statute and rules.

The licensee is responsible for ensuring that each employee who is required to obtain an identification card from the department has a valid temporary or permanent identification card in the employee's possession prior to the employee's commencing work.

Failure to meet these requirements may result in suspension or revocation of the license or identification card(s).

661—121.18(80A) Professional permit to carry weapons. Each person seeking a professional permit to carry weapons must meet the requirements of the Iowa Code and 661—Chapter 4.

661—121.19(80A) Appeals. Any action of the department that the applicant or employee considers adverse may be appealed through the process delineated in 7—Chapter 2506.

661—121.20(252J) Child support collection procedures. The following procedures shall apply to actions taken by the department on a certificate of noncompliance received from the department of health and human services pursuant to Iowa Code chapter 252J:

121.20(1) The notice required by Iowa Code section 252J.8 shall be served upon the applicant, identification card holder, or licensee by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rule of Civil Procedure 1.305.

Alternatively, the licensee, identification card holder, or applicant may accept service personally or through authorized counsel.

121.20(2) The effective date of revocation or suspension of a license or identification card, or denial of the issuance or renewal of a license or identification card, as specified in the notice required by Iowa Code section 252J.8, shall be 60 days following service upon the licensee, identification card holder, or applicant.

121.20(3) Licensees, identification card holders, and applicants for licenses or identification cards shall keep the department informed of all court actions and all child support recovery unit actions taken under or in connection with Iowa Code chapter 252J and shall provide the department with copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code section 252J.9, all court orders entered in such actions, and withdrawals of certificates of noncompliance by the child support recovery unit.

121.20(4) All departmental fees for applications, license or identification card renewal or reinstatement must be paid by the licensee, identification card holder, or applicant before a license will be issued, renewed, or reinstated after the department has denied the issuance or renewal of a license or identification card, or has suspended or revoked a license or identification card pursuant to Iowa Code chapter 252J.

121.20(5) In the event a licensee, identification card holder, or applicant files a timely district court action following service of a department notice pursuant to Iowa Code sections 252J.8 and 252J.9, the department shall continue with the intended action described in the notice upon the receipt of a court order lifting the stay, dismissing the action, or otherwise directing the department to proceed. For the purpose of determining the effective date of revocation or suspension or denial of the issuance or renewal of a license or identification card, the department shall count the number of days before the action was filed and the number of days after the action was disposed of by the court.

661—121.21(80A) Continuing education requirements. The continuing education rules that follow rest upon the premise that the increasing complexity of the private investigation business makes it essential that licensed private investigators continue their education; the public interest requires that private investigators keep themselves continually up to date on developments affecting their practice; and formal programs of continuing education provide private investigators the opportunity to continually update themselves on the expanding body of knowledge required to practice the private investigation profession. Compliance with the continuing education requirements of the department shall be as follows:

Each person who is the holder of a license to operate a private investigative agency is required to comply with the continuing education requirements as a condition precedent to renewal of the person's license.

Each person who is the holder of an identification card to operate as a private investigator is required to comply with the continuing education requirements as a condition precedent to renewal of the employer's agency license.

121.21(1) *Cost of continuing education.* All costs of complying with the continuing education requirements of the department are the responsibility of the licensee who seeks to operate a private investigative agency in this state.

121.21(2) *Basic requirement.* A licensee seeking to renew the licensee's private investigative agency license shall, during the two-year period preceding the agency license expiration date, complete a minimum of 12 hours of acceptable continuing education. Employees of licensees shall, during the two-year period preceding the agency license expiration date, complete a minimum of 12 hours of acceptable continuing education. An employee who has worked for a licensed agency for less than 90 days at the time of the agency license expiration date shall be exempt from the continuing education requirement of this chapter, provided that during the preceding two years the employee has not been employed as a private investigator for a licensed agency or agencies in this state for a combined total of more than 180 days.

a. Applicants who are residents of another state, who are licensed to operate a private investigation agency in their state of residency, and who are actively engaged in the practice in their state of residence shall not be required to meet the basic continuing education requirement if their state of residence requires similar continuing education to maintain their private investigative agency license.

b. The commissioner shall have the authority to make exceptions for reasons of individual hardship including health (certified by a medical doctor), military service, foreign residency, or other good cause.

c. Applicants for new licenses who have held a private investigative agency license in Iowa within the past two years shall complete a minimum of 12 hours of acceptable continuing education during the two-year period preceding the date of application.

121.21(3) *Measurement standards.* The following standards will be used to measure the hours of credit to be given for acceptable continuing education programs completed by individual licensees:

a. Credit will be given for whole hours only, with a minimum of 50 minutes constituting one hour. For example, 100 minutes of continuous instruction would count for two hours; however, more than 50 minutes but less than 100 minutes of continuous instruction would count for only one hour.

b. Only class hours or the equivalent, and not student hours devoted to preparation, may be counted.

c. Service as lecturer or discussion leader of continuing education programs may be counted to the extent that it contributes to the applicant's professional competence.

121.21(4) *Programs that qualify.* The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning that contributes directly to the professional competence of an individual licensed to practice in this state. It will be left to the individual license holder to determine the course of study to be pursued. Thus, each licensee may study subjects related to the licensee's particular practice.

a. Continuing education programs will qualify only if:

(1) An outline of the program is prepared in advance and preserved.

(2) The program is at least one hour (50-minute period) in length.

(3) The program is conducted by a qualified instructor, discussion leader, or lecturer. A qualified instructor, discussion leader, or lecturer is anyone whose background, training, education or experience makes it appropriate for that person to lead a discussion on the subject matter of the particular program.

(4) A record of attendance is maintained.

b. The following programs are deemed to qualify provided all other requirements of this rule are met:

(1) Professional development programs of recognized national and state private investigation organizations.

(2) Technical sessions at meetings of recognized national private investigation organizations and their chapters.

(3) University or college courses.

1. Each semester hour credit shall equal ten hours toward the requirement.
2. Each quarter hour credit shall equal six hours toward the requirement.
3. Each classroom hour of noncredit courses will equal one qualifying hour.

(4) Formal organized in-firm and interfirm educational programs.

(5) Programs in other recognized organizations (accounting, industrial, legal and others).

(6) Other organized educational programs on technical and other related subjects.

c. The following general subject matters are acceptable as long as they contribute to the professional competence of the individual investigator.

(1) Accounting and auditing.

(2) Management.

(3) Computer science.

(4) Communications arts.

(5) Law.

(6) Functional fields of the business, including but not limited to the following:

1. Accident investigation.
2. Background investigation.

3. Business taxes.
4. Criminal investigation.
5. Court testimony.
6. Employee theft.
7. Process service.
8. Personnel law.
9. Product liability.
10. Public records availability/access.
11. Report writing.
12. Substance use in the workplace.
13. Surveillance techniques.
14. Wage and hour law.
15. Workers' compensation law.

Areas other than those listed above may be acceptable if the licensee can demonstrate that they contribute to the licensee's professional competence. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests solely upon the licensee.

d. Formal correspondence and formal individual study programs contributing directly to the professional competence of an individual that require registration and provide evidence of satisfactory completion will be considered for credit. The amount of credit to be allowed for correspondence and formal individual study programs is to be recommended by the program sponsor and shall not exceed 50 percent of the continuing education requirement.

e. Practical training, also known as field training or on-the-job training, qualifies if it meets the criteria of paragraphs 121.21(4)*"a"* through *"c,"* is accompanied by classroom training in the same topic area, and counts for no more time than the classroom training.

f. The right is specifically reserved to the commissioner to approve or disapprove credit for continuing education claimed under these rules.

121.21(5) *Controls and reporting.*

a. Applicants for license renewal must provide a signed statement, on forms provided by the department, setting forth the continuing education in which the licensee and the licensee's employees have participated in such manner and at such times as prescribed by the commissioner. This information may include:

(1) School, firm or organization conducting the course.
(2) Location of course.
(3) Title of course and description of content.
(4) Principal instructor.
(5) Dates attended.
(6) Hours claimed.

b. The commissioner may require sponsors of courses to furnish attendance lists or any other information the commissioner deems essential for administration of these continuing education rules.

c. The commissioner will verify on a test basis information submitted by licensees. If an application for license renewal is not approved, the applicant will be so notified and may be granted a period of time by the commissioner in which to correct the deficiencies noted.

d. Primary responsibility for documenting the requirements rests with the licensee, and evidence to support fulfillment of those requirements must be retained for a period of three years subsequent to submission of the report claiming the credit. Satisfaction of the requirements, including retention of attendance records and written course outlines, may be accomplished as follows:

(1) For courses taken for scholastic credit in accredited universities and colleges or high school districts, evidence of satisfactory completion of the course will be sufficient. For noncredit courses taken, a statement of the hours of attendance, signed by the instructor, must be obtained by the permit holder.

(2) For correspondence and formal independent study courses, written evidence of completion must be obtained by the licensee.

(3) In all other instances, the licensee must maintain a record of the information listed in subrule 121.22(4) and a copy of the course outline prepared by the course sponsor.

121.21(6) *Compliance.*

a. Renewals. If a licensee fails to comply with continuing education requirements prior to the expiration of the license, the department may grant a temporary 30-day license. If the licensee does not complete the continuing education requirements within the 30-day period, the license renewal shall be denied. If the former licensee then wishes to continue the private investigation business, all of the requirements for an initial application must be met. This includes continuing education requirements if the new application is submitted within two years of the date on which the last license became invalid.

b. New applications for previously licensed persons. If an applicant for a private investigative agency license has been licensed in Iowa within the past two years, continuing education requirements must be met. Failure to comply shall result in the denial of the license until such time as the requirements are met.

c. Employees. If any employee of a licensee fails to comply with continuing education requirements, the employee's identification card shall be revoked and the licensee shall surrender the identification card to the department. An employee may reapply for an identification card as if it were an initial application when continuing education requirements have been met.

661—121.22(80A) Reciprocity.

121.22(1) *Eligibility.* A temporary permit to conduct business in Iowa may be issued to a private investigative or private security agency licensed in another state provided that the requirements and qualifications in the licensing state are similar to those in Iowa and that the licensing state allows similar privileges by reciprocity. A temporary permit may be issued for a period not to exceed 90 days and is not renewable. Employees of an agency granted a temporary permit must comply with Iowa employee requirements in rules 661—121.6(80A) and 661—121.11(80A).

121.22(2) *Requirements.* In order to be considered for a temporary permit, the applicant must undergo a background investigation by the department and shall submit the following:

a. Proof of a current valid bail enforcement, private investigative or private security license in another state. Such license shall be of the same license type as the temporary permit requested from Iowa.

b. A completed Application for Bail Enforcement Agency License, Private Investigative Agency License and/or Private Security Agency License (Form #PD1).

c. Two completed FBI Fingerprint Cards (Form #FD–258) or fingerprint submission utilizing a department-approved fingerprint vendor with the associated processing fees.

d. Proof of surety bond issued by a surety company authorized to do business in this state (Form #PD6).

e. Proof of insurance.

f. If the applicant is:

(1) A corporation, a complete Corporate Information form (Form #PD7);

(2) A limited liability company, a completed Limited Liability Company form (Form #PD5).

g. A color photograph of the head and shoulders of the applicant, taken not more than one year prior to application.

h. A fee of $100 for each temporary permit requested.

i. An application, with associated fees, for an employee identification card (Form #PD2) for the temporary permit holder.

121.22(3) *Employee identification cards.* The temporary permit holder shall submit an application for an employee identification card for each employee as required in rule 661—121.6(80A).

These rules are intended to implement Iowa Code chapter 80A.

RA 26-277

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 400
"Peace Officers' Retirement, Accident, and Disability System—Governance and Administration"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 97A.5
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 97A

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026 9 to 9:30 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Board of Trustees of the Public Safety Peace Officers' Retirement, Accident, and Disability System (PORS) proposes to rescind Chapter 400 and adopt a new chapter in lieu thereof. The purpose of this proposed chapter is to outline the governance and administration for the PORS established by Iowa Code chapter 97A.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Active and retired members of the PORS will be affected.

- **Classes of persons that will benefit from the proposed rulemaking:**

Active and retired members of the PORS will benefit from this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines the governance and administration of the PORS.

- **Qualitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines the governance and administration of the PORS.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

As there are no costs to the public or to active or retired members of the PORS to comply, the benefit is achieved through clarity of understanding how the PORS is governed and administered.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 400 and adopt the following **new** chapter in lieu thereof:

CHAPTER 400
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM—GOVERNANCE AND ADMINISTRATION

661—400.1(97A) Establishment of system. The department of public safety peace officers' retirement, accident, and disability system is established by Iowa Code chapter 97A. The administrative rules governing the system are found in this chapter and in 661—Chapters 401, 402, and 403.

661—400.2(97A) Definitions. The following definitions apply to 661—Chapters 400 through 403.

"Active member," "actively engaged member" or *"member in service"* means a currently employed peace officer of the department of public safety who is not reemployed pursuant to Iowa Code section 97A.3(3).

"Board" means the board of trustees of the system.

"Commissioner" means the commissioner of the department of public safety who also serves as the chairperson of the board of trustees.

"Department" means the Iowa department of public safety.

"Line-of-duty death" means the death of a member in service that was the direct and proximate result of a traumatic personal injury incurred in the line of duty. "Line-of-duty death" does not include the death of a member that resulted from stress; strain; occupational illness; or a chronic, progressive, or congenital illness, including but not limited to a disease of the heart, lungs, or respiratory system, unless a traumatic personal injury was a substantial contributing factor to the member's death. "Line-of-duty death" does not include the death of a member if the death results in eligibility for payment of a line-of-duty death benefit pursuant to Iowa Code section 100B.11 and 661—Chapter 291.

"Medical attention" means services provided by licensed medical personnel including but not limited to office, hospital, in-home nursing care, nursing home care, long-term care and prescriptions for medicine or equipment.

"Medical board" means a board of three physicians appointed by the board of trustees pursuant to Iowa Code section 97A.5(8).

"Retired member" means a person formerly employed as a peace officer of the department who is currently receiving or has received pension benefits from the system.

"Secretary" means an employee of the administrative services division of the department designated by the division director to provide staff support to the board.

"System" or *"peace officers' retirement system"* means the department's peace officers' retirement, accident, and disability system.

661—400.3(97A) Governance. The system is governed by a board of trustees, appointed and elected as provided in Iowa Code section 97A.5(1).

400.3(1) *Terms of office.* Terms of office of members of the board of trustees are as follows:

a. The commissioner of public safety shall serve a term that is concurrent with appointment as commissioner of public safety.

b. The treasurer of state shall serve a term that is concurrent with the term of treasurer of state.

c. The actively engaged member of the system shall serve a two-year term commencing on July 1 of an odd-numbered year and terminating on June 30 of the next odd-numbered year.

d. The retired member of the system shall serve a two-year term commencing on July 1 of an even-numbered year and terminating on June 30 of the next even-numbered year.

e. The member appointed by the governor shall serve a two-year term commencing on May 1 of the year of appointment and terminating on April 30 in the year of expiration.

400.3(2) *Election of board members.*

a. The actively engaged member shall be elected by secret ballot of the actively engaged members of the system. The retired member shall be elected by secret ballot of the retired members of the system. The actively engaged member shall be elected in odd-numbered years, and the retired member shall be elected in even-numbered years.

b. At least 90 days prior to the start of the term of office for the actively engaged member or the retired member, the secretary shall distribute a write-in nomination ballot to each member of the system who is eligible to vote. The deadline for return of the ballots shall be established by the secretary at no less than 30 days nor more than 35 days after the date of distribution of the ballots and shall be printed on each ballot. In order to record a nomination, a member shall return the nomination ballot with a postmark or by personal delivery prior to the deadline specified on the ballot, filled in with the name of the member whom the member casting the ballot wishes to nominate.

c. The secretary shall contact each of the nominees who receive the three highest numbers of nominations to determine if each nominee is willing to serve if elected. For each nominee contacted who is unwilling to serve, the secretary shall contact the next nominee in descending order of nominations until three nominees willing to serve are identified.

d. The names of those three eligible members willing to serve if elected who receive the highest number of write-in nominations shall be placed on an election ballot.

e. The secretary shall distribute election ballots to the members of the system who are eligible to vote. The deadline for return of the ballots shall be established by the secretary at no less than 30 days nor more than 35 days after the date of distribution of the ballots and shall be printed on each ballot. Any eligible member who receives a ballot and wishes to vote shall return the ballot to the secretary with a postmark or by personal delivery prior to the deadline printed on the ballot with a choice of one of the three candidates listed indicated. The candidate who receives the highest number of votes shall serve as the actively engaged member or the retired member of the system on the board of trustees.

f. In the event that two of the three candidates tie with the highest number of votes, a new election ballot with the names of the two candidates who tied shall be distributed by regular mail by the secretary to all members who are eligible to vote. The deadline for return of the ballots shall be established by the secretary at no less than 30 days nor more than 35 days after the date of distribution of the ballots and shall be printed on each ballot. Any eligible member who wishes to vote shall return the ballot to the secretary prior to the deadline with the member's preference indicated. The candidate who receives the highest number of votes shall serve as the actively engaged member or the retired member on the board of trustees.

g. In the event that all three candidates receive the same number of votes in the initial election balloting or that the two remaining candidates receive the same number of votes in an election held to break a tie between two candidates, the selection of the board member shall be determined by drawing of lots under the supervision of the commissioner of public safety, acting as chairperson of the board of trustees.

400.3(3) *Vacancies.* A vacancy in a position held by an elected member shall be filled in the same manner as the original election, and the newly elected member shall serve for the balance of the original term for the position filled.

661—400.4(97A) Meetings of board of trustees. The board of trustees shall meet at least quarterly or upon the call of the chairperson. A quorum of the board shall consist of three members. For purposes of a quorum or for voting, a member may participate in person, by audio conference or by videoconference.

661—400.5(97A) Forms and information. Persons who wish to obtain forms or information about the peace officers' retirement, accident, and disability system shall address requests to:

Peace Officers' Retirement System
Iowa Department of Public Safety
State Public Safety Headquarters Building
215 East 7th Street
Des Moines, Iowa 50319
por@dps.state.ia.us

661—400.6(97A) Annual statements.

400.6(1) As soon as practical after the close of each fiscal year, a statement of account shall be furnished to each actively engaged member, which shall include the member's contribution for the year.

400.6(2) As soon as practical after the end of a calendar year, and in any event within any deadlines for this purpose established by the Internal Revenue Service or the Iowa department of revenue, a Form 1099 or an equivalent shall be prepared for and mailed to each person who received

benefits during the year. The form shall detail the total pension paid during the year and shall comply with any applicable requirements established by the Internal Revenue Service and the Iowa department of revenue.

661—400.7(97A) Investments. Investments of assets of the system shall be administered through the office of the treasurer of state. The board of trustees has the authority to direct the investment of funds, including but not limited to the execution of contracts with appropriately qualified individuals or firms to provide advice regarding investments.

These rules are intended to implement Iowa Code chapter 97A.

RA 26-278

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 401
"Peace Officers' Retirement, Accident, and Disability System—Administrative Procedures"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 97A.5
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 97A

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026 9:30 to 10 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Board of Trustees of the Public Safety Department's Peace Officers' Retirement, Accident, and Disability System (PORS) proposes to rescind Chapter 401 and adopt a new chapter in lieu thereof. The purpose of this proposed chapter is to outline administrative procedures related to the PORS.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Active and retired members of the PORS will be affected.

- **Classes of persons that will benefit from the proposed rulemaking:**

Active and retired members of the PORS will benefit from this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines administrative procedures related to the PORS.

- **Qualitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines administrative procedures related to the PORS.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

As there are no costs to the public or to active or retired members of the PORS to comply, the benefit is achieved through clarity of understanding administrative procedures related to the PORS.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 401 and adopt the following **new** chapter in lieu thereof:

CHAPTER 401
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM—ADMINISTRATIVE PROCEDURES

661—401.1(97A) Applications. Applications for benefits under Iowa Code chapter 97A shall be filed with the secretary on forms provided by the secretary. Applications for service retirement shall be made not more than 90 days nor less than 30 days in advance of the date of retirement. Applications for service retirement, ordinary disability or accidental disability shall be reviewed by the secretary for completeness and then forwarded to the board of trustees.

401.1(1) *Manner of review for ordinary or accidental disability.* The secretary shall compile the following materials, if available and applicable, for the board's review of a claim:

a. The application;

b. Any materials provided by the applicant;

c. Any available medical information in the possession of the board or the state;

d. Any information available through any workers' compensation claims made by the applicant; and

e. Recommendations and reports from the medical board.

NOTE: This subrule does not impose a responsibility on the secretary to discover documents or evidence not in the secretary's possession. It is only intended to outline the types of evidence the secretary should provide to the board if available.

401.1(2) *Commissioner's application.* The commissioner may file an application for ordinary or accidental disability on behalf of a member in service. The secretary shall review such applications in the same manner as those filed by a member. The fact that the commissioner has filed an application on a member's behalf shall not prevent the commissioner or the board from denying the application. All applications for accidental disability benefits shall be deemed cross-filed by the commissioner for the purpose of considering disability benefits. Nothing in this rule prevents the board from denying any application.

661—401.2(97A) Determination on initial review.

401.2(1) *Board approval.* The board may approve or deny the application as presented or may direct the applicant to provide further medical information.

401.2(2) *Denial and appeal.* A decision by the board to deny the application may be appealed by the applicant. Written notice of a denial shall be provided to the applicant by certified mail. The written notice shall disclose the applicant's right to appeal, the procedure for filing an appeal, and the deadline for filing an appeal. An appeal must be filed in writing with the secretary within 30 calendar days after the applicant receives written notice of the decision of the board. The board may extend the deadline for filing an appeal. At a minimum, an appeal shall include a short and concise statement of the basis for the appeal.

661—401.3(97A) Applications for reimbursement for medical attention. Member beneficiaries may make application for reimbursement of the costs of medical attention as defined in rule 661—400.2(97A). This rule provides for the requirements of making application for reimbursement, the process for review and disposition of the application, and payment of approved applications.

401.3(1) *Making application.*

a. An application for reimbursement must be filed on a form provided by the secretary within 12 months of the member beneficiary's receiving treatment or incurring a cost for medical attention.

b. In the event there is a dispute with an insurance company regarding covered expenses, to remain eligible for reimbursement, the member beneficiary must file a request for extension, on a form provided by the secretary, if resolution of the dispute is expected to exceed 12 months.

c. Expenses shall only be reimbursed if the member beneficiary is retired as a result of an injury, illness or exposure occurring while in the performance of duty and is receiving a benefit as provided in Iowa Code section 97A.6(6).

d. Expenses shall be reimbursed only if the member beneficiary received medical attention for a condition with direct correlation to the disabling condition, the costs of which were not covered by insurance.

e. The system shall not reimburse for insurance premiums.

401.3(2) *Processing the application.*

a. Upon receipt of the application and supporting documentation, the secretary shall review the application for timeliness, completeness and validity. This subrule does not impose a responsibility on the secretary to discover documents or evidence not included on the application form.

b. The secretary shall refer the written application to the board for review at the next regularly scheduled meeting.

c. The member beneficiary does not need to be in attendance at the board meeting. In order to comply with Title II of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), specific information pertaining to an application for reimbursement or the member beneficiary's disabling condition will not be discussed in open forum of the board meeting unless the member beneficiary is present and approves discussion in a public meeting.

d. The board may approve or deny all or part of a reimbursement application. The board may request additional information to support the application for reimbursement or to determine the correlation of the expense to the disabling condition. The member beneficiary shall provide the documents to the secretary within a reasonable time period. In no case shall the application remain valid for a period of more than 12 months.

e. If the board denies any part of a request for reimbursement, the member beneficiary may request judicial review in accordance with Iowa Code section 97A.6(13).

f. The system will make reimbursements only to the member beneficiary or to the surviving spouse in the event the member beneficiary is deceased.

401.3(3) *Other provisions.*

a. Reimbursements for claimed expenses shall be reduced by any amount already received by the member beneficiary from workers' compensation or from a third party as a result of subrogation proceedings entered into as a result of the disabling injury.

b. In the event the member beneficiary is restored to active service pursuant to Iowa Code section 97A.6(7)*"b,"* consideration of reimbursement for expenses pursuant to Iowa Code section 97A.14 shall not extend beyond the date of restoration to active service.

c. If the member beneficiary receiving a disability retirement pursuant to Iowa Code section 97A.6(6) becomes employed in a public safety occupation pursuant to Iowa Code section 97A.6(7)*"d,"* consideration of reimbursement for expenses pursuant to Iowa Code section 97A.14 shall not extend beyond the date of employment with the employing jurisdiction.

These rules are intended to implement Iowa Code chapter 97A.

RA 26-279

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 402
"Peace Officers' Retirement, Accident, and Disability System—Eligibility, Benefits, and Payments"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 97A.5
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 97A

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026 10 to 10:30 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Board of Trustees of the Public Safety Peace Officers' Retirement, Accident, and Disability System (PORS) proposes to rescind Chapter 402 and adopt a new chapter in lieu thereof. The purpose of this proposed chapter is to outline eligibility, benefits, and payments as they relate to the PORS.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Active and retired members of the PORS will be affected.

- **Classes of persons that will benefit from the proposed rulemaking:**

Active and retired members of the PORS will benefit from this proposed rulemaking.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter provides for calculation methods as they relate to eligibility, benefits, and payments.

- **Qualitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter provides for calculation methods as they relate to eligibility, benefits, and payments.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

As there are no costs to the public or to active or retired members of the PORS to comply, the benefit is achieved through clarity of understanding how the PORS is governed and administered.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 402 and adopt the following **new** chapter in lieu thereof:

CHAPTER 402
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM—ELIGIBILITY, BENEFITS, AND PAYMENTS

661—402.1 to **402.99** Reserved.

DIVISION I
ELIGIBILITY

661—402.100(97A) Age of qualification. The age of qualification for benefits under Iowa Code chapter 97A shall mean the age on the member's last birthday.

661—402.101(97A) Date of retirement. Date of retirement shall mean the first day on retirement and not the last day on duty.

661—402.102(97A) Date of death. In the event of the death of a member, the date of death will be considered to be the member's last day on the payroll for earned compensation or on pension and the next day following will be the first day for the spouse's and children's benefits. The start of benefits shall not be delayed by the payout of any other compensation.

661—402.103(97A) Age of spouse. When the spouse of a deceased active member is to receive an annuity payment from the member's contributions, the age of the spouse at the spouse's nearest birthday shall govern. The computation shall be the spouse's birth date subtracted from the first date that spouse's benefits begin to accrue.

661—402.104 to **402.199** Reserved.

DIVISION II
BENEFITS AND PAYMENTS

661—402.200(97A) Errors in payments. If an error in payments already made to a member or beneficiary is discovered, arrangements shall be made to correct the error, either through recovery of overpayments from the member or beneficiary or through additional compensation paid to the member or beneficiary to adjust for underpayments. Schedules referenced in this rule shall commence only after presentation to and approval by the board of trustees.

402.200(1) As soon as practical after being discovered, underpayments shall be corrected through a lump-sum payment to the member or beneficiary in an amount equal to the total amount of underpayments to date and an amount of interest such that the total lump-sum payment is actuarially equivalent to the total amount of underpayments. The member or beneficiary may request a method of repayment other than a lump-sum payment, in which case a repayment schedule may be mutually agreed upon between the board and the member or beneficiary.

402.200(2) Overpayments other than those that resulted from fraudulent acts on the part of the member or beneficiary receiving the payments shall be recovered from the member or beneficiary. The preferred method of recovery, if the member or beneficiary is continuing to receive payments from the system, shall be withholding monthly an amount equivalent to the monthly average of the amount of overpayments during the period in which the overpayments were made until total repayments equal a sum actuarially equivalent to the total amount of overpayment. If the member or beneficiary is not receiving payments from the system, the board may seek repayment in a lump sum including the amount of overpayments and interest in an amount such that the total repayment is actuarially equivalent to the total amount of overpayments, although the member or beneficiary may request a repayment schedule be established and the board may agree to do so.

402.200(3) An overpayment that resulted in whole or in part from a fraudulent act or acts on the part of the member or beneficiary receiving the payments shall be repaid to the system in an amount that is actuarially equivalent to the amount of the overpayment plus a reasonable assessment of the administrative costs to the system and the department to recover the overpayment. The preferred method of repayment is a lump-sum payment collected as soon as practical after the overpayment and

the fraudulent act are discovered, although the board shall accept a repayment schedule established by a court that orders restitution in relation to a conviction stemming from the fraudulent act(s). The board may agree to an alternative payment schedule at the request of the member or beneficiary if there is no applicable order of restitution.

The board may find, on the basis of clear and convincing evidence, that an overpayment resulted from a fraudulent act(s) on the part of a member or beneficiary. A conviction based upon a fraudulent act(s) committed in relation to the receipt of benefits from the system shall be prima facie evidence of fraud for purposes of this subrule.

661—402.201(97A) Computation for partial month. Computation of retirement benefits for a partial month shall be based on the actual number of days in the month, i.e., monthly benefits divided by the number of days in the month multiplied by the number of days due.

661—402.202(97A) Termination prior to retirement.

402.202(1) The interest rate shall be the composite rate of return for the fiscal year as reflected in the investment performance analysis, provided by the investment consultants for the system, as specified in the report for the quarter ending June 30 of the fiscal year, adjusted by the administrative expense of the system for the fiscal year. The administrative expense rate shall be calculated by dividing the actual administrative expense for the fiscal year by the fund balance on June 30 of the fiscal year.

402.202(2) Interest shall be credited to the member's account annually as of June 30. The interest credited to the member shall be calculated by multiplying the annual interest rate by the member's average balance for the fiscal year, with interest credited for each full month of membership.

402.202(3) Members withdrawing contributions under this rule shall submit a written request to the secretary.

661—402.203(97A) Options not reversible once payments begin—exceptions.

402.203(1) The member may change or cancel the member's selected optional benefit until the first monthly benefit payment is made using the selected option. After the first monthly payment to the member or beneficiary, the option shall become permanent and not subject to cancellation or change.

402.203(2) If a member dies without designating a beneficiary prior to receipt in benefits of an amount equal to the total amount in the member's credit at the time of separation from service, the election is void.

402.203(3) If a member who has designated a beneficiary dies and the beneficiary subsequently dies prior to receipt in benefits of an amount equal to the total amount in the member's credit at the time of separation from service, the election remains valid.

661—402.204(97A) Method of calculating annual adjustments when optional retirement benefits are selected. Whenever an optional benefit as provided for in Iowa Code section 97A.6A has been selected by a member, the annual adjustments provided for in Iowa Code section 97A.6(14) shall continue to be provided.

661—402.205(97A) Termination of benefits when optional retirement benefits are selected. Whenever an optional benefit as provided for in Iowa Code section 97A.6A has been selected by a member, benefit payments shall terminate as follows, except as provided in rule 661—402.203(97A):

402.205(1) Straight life annuity. Upon the death of the retired member, all future retirement payments shall cease.

402.205(2) Straight life annuity with five years certain. Upon the death of the retired member, or five years from the member's original retirement date, whichever is later, all future retirement payments shall cease.

402.205(3) Straight life annuity with ten years certain. Upon the death of the retired member, or ten years from the member's original retirement date, whichever is later, all future retirement payments shall cease.

402.205(4) Joint and 50 percent survivor annuity. Upon the death of the retired member, the surviving beneficiary shall have the beneficiary's annual annuity established at 50 percent of the member's amount. Upon the death of both the member and the beneficiary, all future retirement payments shall cease.

402.205(5) Joint and 75 percent survivor annuity. Upon the death of the retired member, the surviving beneficiary shall have the beneficiary's annual annuity established at 75 percent of the member's amount. Upon the death of both the member and the beneficiary, all future retirement payments shall cease.

402.205(6) Joint and 100 percent survivor annuity. Upon the death of the retired member, the surviving beneficiary shall have the annual annuity continue at the member's amount. Upon the death of both the member and the beneficiary, all future retirement payments shall cease.

402.205(7) Single life annuity with a designated lump sum. Upon the death of the retired member, the beneficiary shall receive the single lump-sum payment and all future retirement payments shall cease.

661—402.206(97A) Impact of optional benefit selections on child benefits. The selection of an optional retirement benefit by a member shall not change the benefit that a child of a deceased member would otherwise be eligible to receive.

661—402.207(97A) Method of calculating annual adjustment for members who retire on or after July 1, 2010. For members retiring on or after July 1, 2010, there shall be an adjustment occurring on July 1 for which the following applicable amount shall be added to the member's monthly allowance:

402.207(1) On the first July 1 following the retirement of a member, there shall be added to the monthly allowance the amount of $15. There shall be no other adjustment to the monthly allowance under the provisions of this rule until the adjustment provided in subrule 402.207(2) applies.

402.207(2) An additional $5 shall be added to the member's monthly allowance when the member's retirement date was at least five years, but less than ten years, prior to the effective date of the adjustment, the total adjustment to the member's monthly allowance then being $20. There shall be no other adjustment to the monthly allowance under the provisions of this rule until the adjustment provided in subrule 402.207(3) applies.

402.207(3) An additional $5 shall be added to the member's monthly allowance when the member's retirement date was at least 10 years, but less than 15 years, prior to the effective date of the adjustment, the total adjustment to the member's monthly allowance then being $25. There shall be no other adjustment to the monthly allowance under the provisions of this rule until the adjustment provided in subrule 402.207(4) applies.

402.207(4) An additional $5 shall be added to the member's monthly allowance when the member's retirement date was at least 15 years, but less than 20 years, prior to the effective date of the adjustment, the total adjustment to the member's monthly allowance then being $30. There shall be no other adjustment to the monthly allowance under the provisions of this rule until the adjustment provided in subrule 402.207(5) applies.

402.207(5) An additional $5 shall be added to the member's monthly allowance when the member's retirement date was at least 20 years prior to the effective date of the adjustment, the total adjustment to the member's monthly allowance then being $35.

661—402.208(97A) Method of calculating annual adjustment for members who retired prior to July 1, 2010. For members having retired before July 1, 2010, there shall be an adjustment occurring

on July 1 for which the following applicable amount shall be added to the member's monthly allowance:

402.208(1) For members having retired on or after July 2, 2009, but before July 1, 2010, there shall be added to the monthly pension allowance the amount of $15. There shall be no other adjustment to the monthly allowance under the provisions of this rule until the adjustment provided in subrule 402.212(2) applies.

402.208(2) For members having retired on or after July 2, 2008, but before July 2, 2009, no adjustment to the monthly allowance shall be made until the adjustment provided in subrule 402.212(2) applies.

402.208(3) For members having retired on or after July 2, 2007, but before July 2, 2008, no adjustment to the monthly allowance shall be made until the adjustment provided in subrule 402.212(5) applies.

402.208(4) For those members having retired on or before July 1, 2007, thus having received more than a total of $35 added to the monthly allowance, there shall be no additional adjustments made to monthly allowances. Adjustments having resulted in more than $35 added to the monthly allowance prior to July 1, 2010, shall not be considered overpayments, and the monthly allowances of members so affected shall not be reduced, nor shall members be required to repay any amount to the system.

NOTE: The following table summarizes the adjustments provided for in this rule.

Retirement Date	July 1 Monthly Allowance Adjustment	Adjustment Date
July 2, 2009 – June 30, 2010	$15	July 1, 2010
July 2, 2008 – July 1, 2009	$5	July 1, 2013
July 2, 2007 – July 1, 2008	$5	July 1, 2028
Retired before July 2, 2007	$0	Not applicable

661—402.209(97A) Determination of survivor's pension. For the purposes of determining a survivor's pension, the adjustments to monthly allowance provided in rules 661—402.207(97A) and 661—402.208(97A) shall be reduced in the same manner as is provided for the member's optional retirement benefit election as provided in Iowa Code section 97A.6(12).

661—402.210 to **402.299** Reserved.

DIVISION III
SERVICE PURCHASES

661—402.300(97A) Purchase of service credit for military service.

402.300(1) *Service eligible for purchase.* Permissive service credit shall be calculated in years at the rate of one year of service for six months or more of a year actually worked with no more than one year of service to be credited for all service in one calendar year.

402.300(2) *Application.* A member seeking to purchase service credit under this rule shall file a written application with the system requesting an actuarial determination of the purchase cost of the requested service credit. Applications shall be on forms provided by the secretary. The member shall include with the application:

a. Periods of military service for which credit is requested.

b. Proof of applicable military service. Records that may be acceptable for this purpose include the member's DD Form 214, discharge papers or other records as determined by the system.

c. Any other documentation reasonably requested by the system.

402.300(3) *Determination of cost to member.* Upon receipt of the written application and supporting documentation, the secretary shall review and verify the submitted documents. The

secretary shall submit the application and pertinent member information to the actuary contracted by the system to determine the cost to purchase the military service. The cost of actuarial determinations shall be borne by the member, payable upon receipt of the cost quote.

402.300(4) *Application process.*

a. Actuarial cost quote of military service credit. When made available to the secretary by the actuary, the cost quote shall be forwarded to the member promptly. Such delivery may be made through email, facsimile transmission, regular mail, or personal service. The cost quote for purchase of credit for military service shall remain valid for six months from the date of the cost quote unless replaced by a subsequent cost quote for the same time period of military service.

b. Submission of application to purchase military service credit. The member may submit to the secretary an application to purchase years of military credit in a cumulative amount no greater than five years. Full payment in the form of a check or money order payable to the Peace Officers' Retirement, Accident, and Disability System or certification of intent to pay through a qualified plan, or a combination thereof, shall accompany the application to purchase military service credit.

c. Acceptance of application to purchase military service credit. If the application is accepted, the secretary shall deposit the full payment in the system's account and shall adjust the member's years of service and contributions to reflect the purchase of credit for military service. Prior to the receipt of full payment, the secretary shall make no adjustment to the member's years of service or contributions.

402.300(5) *Revocation.* A member may revoke a service purchase election and receive a refund without interest of the purchase cost paid, provided that the revocation request is in writing and is received by the system no later than 60 days following the date of the receipt of the payment of the purchase cost by the system and prior to the date of the commencement of benefits to the member under Iowa Code section 97A.6.

402.300(6) *Refund when required by Internal Revenue Code.* This rule shall not be construed to limit the system's ability to refund service credit purchase amounts when required in order to meet the provisions of the Internal Revenue Code.

402.300(7) *Rejection of application to purchase military service credit.* If the application is rejected, the secretary shall refer the rejected application to the board for review at the next regularly scheduled meeting.

402.300(8) *Board review.* The board shall review any rejected application for purchase of military service credit. If the board overrules the action, the secretary shall process the application. If the board sustains the rejection, the secretary shall return the payment to the member. The member may appeal the action pursuant to 661—subrule 401.2(2).

402.300(9) *Average final compensation.* The average final compensation of the member shall not be affected by the purchase of credit for military service.

These rules are intended to implement Iowa Code chapter 97A and 2010 Iowa Acts, House File 2518.

RA 26-280

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 403
"Peace Officers' Retirement, Accident, and Disability System—Line-of-Duty Death Benefit"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 97A.5
State or federal law(s) implemented by the rulemaking: Iowa Code section 97A.6(16)

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026 10:30 to 11 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Public Safety Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Board of Trustees of the Department's Peace Officers' Retirement, Accident, and Disability System (PORS) proposes to rescind Chapter 403 and adopt a new chapter in lieu thereof. The purpose of this proposed chapter is to outline the administration and payment for line-of-duty death benefits to beneficiaries of members who die in the line of duty.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Active and retired members of the PORS will be affected.

- **Classes of persons that will benefit from the proposed rulemaking:**

Beneficiaries of members who die in the line of duty will receive line-of-duty death benefits.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines the application and determination processes for the line-of-duty death program.

- **Qualitative description of impact:**

No significant impact or costs will be incurred by the public or by active or retired members of the PORS. This proposed chapter only outlines the application and determination processes for the line-of-duty death program.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the Department or any other agency to implement or enforce this rulemaking.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

As there are no costs to the public or to active or retired members of the PORS for compliance, the benefit is achieved through clarity of application and determination processes for the line-of-duty death program.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 403 and adopt the following **new** chapter in lieu thereof:

CHAPTER 403
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM—
LINE-OF-DUTY DEATH BENEFIT

661—403.1(97A) Member death benefit program.

403.1(1) As provided in Iowa Code section 97A.6(16), the board will administer the payment of line-of-duty death benefits to beneficiaries of members who die in the line of duty.

403.1(2) Information about the program may be obtained by mail from the Secretary of the Board of Trustees, Iowa Department of Public Safety, Peace Officers' Retirement System, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; by telephone at 515.725.6248; or by email to asdinfo@dps.state.ia.us.

661—403.2(97A) Application. Application forms for the line-of-duty death benefit program may be obtained on request from the secretary. The board may accept a legible copy of a completed application for the federal Public Safety Officer Benefits Program as an application for payment of benefits from the member death benefit program. Completed application forms shall be mailed or delivered to the address in subrule 403.1(2).

661—403.3(97A) Determination. After receiving a completed application for benefits from the member death benefit program, the board shall make a determination as to whether the application meets the requirements for payment of benefits. Prior to making a determination, the board may require the beneficiary or responsible supervisory official who has certified that the death is a line-of-duty death to submit any additional information that the board deems material to making the determination. If the determination is that the requirements for payment of benefits have been met, the board shall so notify the beneficiary or cobeneficiaries and shall instruct the secretary to prepare documents to cause the department of administrative services to issue a warrant payable to the beneficiary in the amount of the lump-sum payment provided or, if there are cobeneficiaries, to issue warrants in equal shares of the lump-sum amount payable to each of the cobeneficiaries. Payments pursuant to this rule shall come from the system's funds.

403.3(1) *Denial and notification.* If the board determines that the eligibility criteria have not been met, the board shall notify in writing the beneficiary or cobeneficiaries, and the responsible supervisory official who certified that the death occurred in the line of duty, of the determination and of the reason(s) for the denial.

403.3(2) *Appeals.* If an application for benefits is denied, the beneficiary or any cobeneficiary may appeal that decision to the board by filing an appeal in writing to the secretary within 30 days of the date of the denial of the application by the board. Appeals shall be processed in accordance with contested case procedures in 7—Chapter 2506.

These rules are intended to implement Iowa Code section 97A.6(16).

RA 26-281

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 607
"Commercial Driver Licensing"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.175 as enacted by 2026 Iowa Acts, House File 2598; 321.187B as enacted by 2026 Iowa Acts, Senate File 2426; and 321.188

State or federal law(s) implemented by the rulemaking: Iowa Code section 321.175 as enacted by 2026 Iowa Acts, House File 2598; section 321.187B as enacted by 2026 Iowa Acts, Senate File 2426; and section 321.188

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 10 to 10:30 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 845 664 188#

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Sara Siedsma
6310 SE Convenience Boulevard
Ankeny, Iowa 50021
Email: sara.siedsma@iowadot.us

Purpose and Summary

The purpose of the proposed amendments is to align the chapter with 2026 Iowa Acts, Senate File 2426, section 2, and 2026 Iowa Acts, House File 2598, which require the Department to implement an English language proficiency test and human trafficking prevention training for commercial driver's license applicants. The amendments also update the chapter to reflect how the Department's new information technology (IT) system will identify restricted commercial driver's licenses and make corresponding technical and citation changes throughout the chapter.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs or fees associated with the proposed rulemaking beyond those of the underlying statutes. The rule changes reflect how the Department will implement the new statutory requirements and deliver services through its new IT system.

- **Classes of persons that will benefit from the proposed rulemaking:**

Persons seeking to obtain a commercial driver's license will benefit from having the rules conform to the statutory requirements and knowing how services will be provided through the Department's new IT system.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

There are no quantitative impacts beyond those of the underlying statutes.

- **Qualitative description of impact:**

There are no qualitative impacts beyond those of the underlying statutes.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no implementation or enforcement costs beyond those of the underlying statutes.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues beyond those of the underlying statutes.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

There is no benefit of inaction. The rule changes conform with statutory changes and the capabilities of the Department's new IT system.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or less intrusive methods to achieve the purpose of the proposed amendments, which are required by statute.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Department did not consider alternatives for the proposed rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no impact on small business from the proposed amendments beyond those of the underlying statutes.

Text of Proposed Rulemaking

ITEM 1. Amend rule 761—607.9(321), introductory paragraph, as follows:

761—607.9(321) Restrictions. The restrictions that may limit commercial motor vehicle operation with a commercial driver's license are listed in ~~761—subrule 605.8(3)~~ 761—subrule 605.7(3) and are explained below:

ITEM 2. Amend subrule 607.17(1) as follows:

607.17(1) *Licensee requirements.* Unless eligible for electronic renewal pursuant to ~~subrule 761—605.25(8)~~ subrule 761—605.15(7), to renew a commercial driver's license, the licensee shall apply at a driver's license service center and complete the following requirements:

a. to *d.* No change.

ITEM 3. Amend subrule 607.19(3) as follows:

607.19(3) *Hearing and appeal process.* A person who has received a notice of disqualification may contest the disqualification in accordance with rule ~~761—615.38(17A,321)~~ 761—615.22(17A,321).

ITEM 4. Amend subparagraph **607.22(4)"c"(9)** as follows:

(9) A violation deemed serious under rule ~~761—615.17(321)~~ 761—615.10(321).

ITEM 5. Amend paragraph **607.22(5)"b"** as follows:

b. A restricted commercial driver's license will be ~~coded with restriction "W" on the face of the driver's license, with the restriction explained~~ identified as such in text on the ~~back of the driver's~~ front of the license~~.~~ and may be coded with restriction "W." In addition, the license will be issued with ~~a restriction stating~~ the license's period of validity.

ITEM 6. Adopt the following **new** rule 761—607.26(321):

761—607.26(321) English language proficiency examination.

607.26(1) Prior to issuance or renewal of a commercial driver's license or a commercial learner's permit, an applicant must successfully pass the English language proficiency examination administered by the department pursuant to Iowa Code section 321.187B as enacted by 2026 Iowa Acts, Senate File 2426, section 2.

607.26(2) Upon the applicant successfully passing the examination in subrule 607.26(1), the department will notate the applicant's passing score in the applicant's file, and the applicant will not be required by the department to repeat the test at a subsequent issuance or renewal.

This rule is intended to implement Iowa Code section 321.187B as enacted by 2026 Iowa Acts, Senate File 2426, section 2.

ITEM 7. Adopt the following **new** rule 761—607.27(321):

761—607.27(321) Human trafficking training.

607.27(1) Prior to the initial issuance of a class A, B, or C commercial driver's license, an applicant must certify to the department that the applicant has completed a course of instruction in human trafficking prevention pursuant to Iowa Code section 321.175 as enacted by 2026 Iowa Acts, House File 2598, section 1.

607.27(2) For purposes of this rule, "certify" means to provide the department with a certificate of completion or other satisfactory proof, as determined by the department, that the course required in subrule 607.27(1) has been completed.

607.27(3) Upon receipt of certification that the course in subrule 607.27(1) has been completed, the department will notate the applicant's completion in the applicant's file, and the applicant will not be required to repeat the training at a subsequent issuance or renewal.

This rule is intended to implement Iowa Code section 321.175 as enacted by 2026 Iowa Acts, House File 2598, section 1, and 321.188 as amended by 2026 Iowa Acts, House File 2598, section 2.

RA 26-282

UTILITIES COMMISSION[199]

Regulatory Analysis

Notice of Intended Action to be published: 199—Chapter 25
"Electric Transmission Emergency Planning and Coordination"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 478.34
State or federal law(s) implemented by the rulemaking: 2026 Iowa Acts, House File 2583

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026 2 to 4 p.m.	Utilities Commission Hearing Room 1375 East Court Avenue Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Utilities Commission no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

IT Support
Utilities Commission
1375 East Court Avenue
Des Moines, Iowa 50319
Phone: 515.725.7300
Email: support@iuc.iowa.gov

Purpose and Summary

The purpose of this proposed rulemaking is to implement 2026 Iowa Acts, House File 2583, which was signed into law by Governor Reynolds on April 16, 2026. This legislation enacted new Iowa Code section 478.34, which requires certain electric transmission line owners to file emergency response plans with the Commission. All references to Iowa Code section 478.34 in the proposed text are to that section as enacted by 2026 Iowa Acts, House File 2583. The rulemaking establishes procedures for implementing the law and a definition of significant interruption that was required in the legislation to be established by rule.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The classes of persons affected by this rulemaking that would bear the costs would be any company currently owning, or a company awarded a project relating to, an electric transmission line with a capacity of 200 kilovolts or more that has been approved for construction on or after July 1, 2022, for construction in a federally registered planning authority transmission plan with costs allocated regionally.

- **Classes of persons that will benefit from the proposed rulemaking:**

Utility customers, as well as the general public, will benefit from improved emergency response planning and communication brought by the requirement to file emergency response plans with the Commission. Operators of essential facilities will also receive a benefit since the plans must address prioritization of essential facilities such as hospitals, water treatment plants, and public safety communications, which in turn will benefit all Iowans. Lastly, other State agencies implicated by the response plans will benefit by having access to the emergency response plans during an emergency, allowing them to more efficiently and effectively resolve emergencies that may arise.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The quantitative impact will be increased costs borne by the electric transmission line owners required to file an emergency response plan and provide information to the Commission on significant interruptions; however, the number of electric transmission line owners impacted by these rules is relatively small.

- **Qualitative description of impact:**

The qualitative impact of this rulemaking will be requiring a company to create and file an emergency response plan either for a currently constructed line or as part of the permitting process with the Commission. Information submitted in the plans and notifications on outages will help give the Commission more information that can be used in improving the State's response to emergencies.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Commission will incur costs by receiving and reviewing emergency response plans for compliance with the new rules, as well as processing requests to access the emergency response plans from other agencies.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

These rules will likely result in increased expenses for companies that are required to file emergency response plans. However, that is heavily outweighed by the value provided by the improvement to emergency response anticipated by the new rules, particularly to essential facilities. The expenses should be relatively low because the emergency response plans are to be filed once a year with the Commission and after the initial filing, each submission thereafter will update the response plan. Any updates will ideally be less costly. The expense of Commission review will be less for the subsequent review of the updates than the initial filing.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Commission does not believe there are any less costly methods of securing the public benefit associated with this proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Commission did not consider any alternative methods for implementing the requirements set out by Iowa Code section 478.34 as enacted by 2026 Iowa Acts, House File 2583.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no anticipated impact on small business.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** rule 199—25.7(476,478):

199—25.7(476,478) Electric transmission emergency planning and coordination.

25.7(1) *Definitions.* For purposes of this rule:

"Electric transmission line" means a high-voltage electric transmission line with a capacity of 200 kilovolts or more that has been approved for construction on or after July 1, 2022, for construction in a federally registered planning authority transmission plan with costs allocated regionally.

"Electric transmission line owner" means an individual or entity that owns and maintains an electric transmission line.

25.7(2) *Emergency response plan.* Updated emergency response plans required to be filed pursuant to Iowa Code section 478.34(2)*"b"* shall be submitted annually by September 1 or within 30 days of a material change.

25.7(3) *Notification of outage.* An electric transmission line owner shall notify the commission when it is projected, after an initial assessment of the nature and scope of the damage to the electric transmission line and initial information from any impacted utility providing electricity to end user customers, that an outage may result in a loss of service to end user customers for more than six hours provided the outage meets the criteria for a significant interruption.

a. The criteria for a significant interruption shall be the same as the notification of outage criteria in 199—subrule 20.18(1).

b. Notice shall be provided by notifying the commission duty officer by email at dutyofficer@iuc.iowa.gov or, in appropriate circumstances, by phone at 515.745.2332.

ARC 0503D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to description of organization and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 1, "Description of Organization," Iowa Administrative Code, and to adopt a new Chapter 1 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the purpose and organization of the Iowa Telecommunications and Technology Commission and the Iowa Communications Network, including the location of offices and business hours. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
DESCRIPTION OF ORGANIZATION

751—1.1(17A,8D) Purpose. The Iowa telecommunications and technology commission and Iowa communications network manages, develops, operates, and ensures compatibility of the state communications network (network) as established by Iowa Code chapter 8D.

751—1.2(17A,8D) Organization. The commission's structure consists of five commissioners and the state auditor and the chief information officer as ex officio members. The commission has the sole authority to manage, develop, operate, and ensure compatibility of the network. The network is supervised by the commission and operated by the executive director or the director's designee.

751—1.3(17A,8D) Location of offices.

1.3(1) *Main office.* The main office is located in the Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa 50319.

1.3(2) *Network hub.* The hub for the network is located in the Joint Forces Headquarters (JFHQ) Armory, 6100 NW 78th Avenue, Johnston, Iowa 50131.

751—1.4(17A,8D) Business hours. The business hours of the main office are 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

These rules are intended to implement Iowa Code sections 8D.1, 8D.3, and 8D.4.

ARC 0505D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to fair information practices and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 2, "Public Records and Fair Information Practices," and to adopt a new Chapter 2505, "Fair Information Practices," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

Pursuant to Executive Order 10, the Iowa Communications Network proposes to rescind Chapter 2 and move the content to a new Chapter 2505. The chapter describes the public records and fair information practices (in addition to 7—Chapter 2505) and personally identifiable information (PII) guidelines. Iowa Code section 22.11 imposes an obligation on each agency to adopt rules that provide the nature of PII collected by the agency and to indicate which records contain PII and if they are public or confidential. Since the Uniform Rules on Agency Procedure are not specific to each agency, this rulemaking is necessary to comply with the statute directive regarding PII.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building

400 East 14th Street
Des Moines, Iowa 50319
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Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

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Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **751—Chapter 2**.

ITEM 2. Adopt the following **new** 751—Chapter 2505:

CHAPTER 2505
FAIR INFORMATION PRACTICES

The Uniform Rules on Agency Procedure, 7—Chapters 2500 through 2506, are rules generally applicable to agencies pursuant to Iowa Code section 17A.24. Additions, exceptions, or amendments to the corresponding chapter are below.

751—2505.9(8D) Additional definitions. As used in this chapter:

"Customer proprietary network information" or *"CPNI"* means information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, as defined in 47 U.S.C. §222(h)(1).

"Personally identifiable information" or *"PII"* means information about or pertaining to an individual in a record that identifies the individual and that is contained in a record system.

751—2505.10(8D) Personally identifiable information and customer proprietary network information. This rule describes the nature and extent of personally identifiable information and CPNI that is collected, maintained, and retrieved by the agency. The commission maintains the following primary records in systems:

2505.10(1) Personnel and payroll records. The agency maintains files containing information about employees, applicants, and dependents. The files include payroll records, biographical information,

medical information, and performance reviews. These records are generally confidential pursuant to Iowa Code section 22.7(11).

2505.10(2) Commission and advisory board records. These records contain information about commission and board members, including biographical and contact information. Portions of these records may be confidential.

2505.10(3) Vendor, contractor, and authorized user files. These files contain information about individuals who do business with the agency or represent authorized users, including contact information, billing records, and related correspondence.

2505.10(4) Telecommunications and network data. The agency collects and maintains CPNI to route traffic, bill for services, and manage network operations. Consistent with federal law, CPNI is strictly confidential and shall not be disclosed to the public under Iowa Code chapter 22, except as expressly authorized by the customer or required by law enforcement.

2505.10(5) Litigation, contested case, and administrative files. These files contain information regarding litigation, rate disputes, vendor appeals, or administrative claims involving the agency. These records may contain confidential information protected by attorney-client privilege or Iowa Code section 22.7.

These rules are intended to implement Iowa Code sections 8D.3 and 17A.24.

ARC 0508D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to purchasing and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 5, "Purchasing," Iowa Administrative Code, and to adopt a new Chapter 5 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the purchasing structure and guidelines in which the statewide network is administered throughout the State. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 5 and adopt the following **new** chapter in lieu thereof:

CHAPTER 5
PURCHASING

751—5.1(8D) Applicability of competitive bidding.

5.1(1) *Thresholds.* The commission shall use the following competitive bidding thresholds for the purchase of goods and services:

a. Direct purchasing, tier 1. The commission may purchase goods and services costing less than $15,000 without competitive bidding, using reasonable efforts to obtain the best price and value.

b. Informal competition, tier 2. The commission shall use informal competition, soliciting quotes from at least three vendors, for purchases where:

(1) The estimated cost is between $15,000 and $50,000; or

(2) The estimated value of a multiyear contract in the aggregate, including renewals, does not exceed $150,000.

c. Formal competition, tier 3. The commission shall use formal competitive bidding for purchases where:

(1) The estimated cost exceeds $50,000; or

(2) The estimated value of a multiyear contract in the aggregate, including renewals, exceeds $150,000.

5.1(2) *Determination of cost.* The estimated total cost of a purchase shall be the aggregate cost of the purchase, including freight and installation but excluding the cost of any existing hardware or software maintenance renewals if such renewals are sole-source by nature. Contracts shall not be artificially divided to avoid competitive bidding thresholds.

5.1(3) *Exemptions.* Competitive bidding is not required for:

a. Sole source, when the executive director or designee determines that:

(1) The goods or services are available from only a single source;

(2) Immediate action is required to prevent a service outage; protect network security; or avoid immediate threat to public health, safety, or welfare;

(3) The procurement is for the network and must be compatible with existing systems and compatibility is the overriding consideration;

(4) The procurement is for the upgrade, maintenance, or renewal of existing software or hardware;

(5) The goods or services involve work of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity to the project, or ownership of intellectual property rights, could satisfactorily provide the service;

(6) The commission is purchasing directly from the original equipment manufacturer (OEM); or

(7) The commission is hiring legal counsel, expert witnesses, or consultants to assist in legal proceedings, including testifying or assisting in the preparation of quasijudicial or judicial proceedings.

b. Shared contracts, when the commission purchases from contracts let by the department of administrative services, the department of management, the federal government, or other governmental entities.

751—5.2(8D) Methods of procurement.

5.2(1) *Informal competition.* For procurements requiring informal competition under paragraph 5.1(1)*"b"*:

a. The commission shall attempt to solicit quotes or proposals from at least three qualified vendors.

b. The solicitation may be conducted via electronic mail or telephone.

c. Public notice is not required.

5.2(2) *Formal competition.* For procurements requiring formal competition under paragraph 5.1(1)*"c"*:

a. Notice. The commission shall also comply with legal requirements for notifying targeted small businesses. Notice of the solicitation shall be posted on the state's centralized bidding website or the commission's website not less than ten days prior to the submission deadline.

b. Evaluation.

(1) When an Invitation to Bid is used, the contract shall be awarded to the lowest cost responsible bidder who meets the specifications.

(2) When a Request for Proposals is used, the contract shall be awarded to the vendor offering the best value based on the evaluation criteria identified in the solicitation.

c. Negotiation. The commission reserves the right to negotiate with the highest-ranked vendor or request a best and final offer (BAFO) from finalists.

5.2(3) *Auctions.* The commission may purchase goods or services through:

a. Electronic auctions, including reverse auctions where vendors bid down the price in real time.

b. Standard auctions, when purchasing new or used equipment or materials, provided the auction is conducted by a reputable organization.

5.2(4) *Purchasing cooperatives and consortiums.* The commission may join public or private purchasing cooperatives or consortiums to reduce costs for the network and authorized users. The commission may purchase goods and services through these entities without conducting a separate competitive bidding process, provided the cooperative or consortium utilized a competitive procurement procedure.

751—5.3(8D) Master agreements.

5.3(1) *Purpose.* To reduce administrative costs and improve efficiency, the commission may enter into master agreements (blanket purchase agreements) for goods or services that are purchased repeatedly.

5.3(2) *Competition.* A master agreement shall be established through any manner deemed appropriate by the commission, using the methods of procurement identified within rule 751—5.2(8D) or sole source as allowed by subrule 5.1(3).

5.3(3) *Ordering.* Once a master agreement is established, individual purchase orders may be issued to the contracted vendor without further competition for the duration of the agreement.

751—5.4(8D) Agency rights and vendor performance.

5.4(1) *Rejection of bids.* The commission reserves the right to reject any or all bids or proposals at any time prior to the execution of a contract. The commission may reject a bid for any reason, including but not limited to:

a. The financial insecurity of the vendor.

b. Failure to meet the specifications or terms of the solicitation.

c. Evidence of unfair bidding procedures or collusion.

d. Cancellation of the project or insufficient funds.

e. When the best interests of the commission will be served by rejection.

5.4(2) *Suspension and debarment.* The commission may suspend or debar a vendor from participating in future solicitations if the vendor has demonstrated a failure to perform or other serious misconduct.

a. Causes. Causes for suspension or debarment include:

(1) Material failure to perform in accordance with the terms of a previous contract;

(2) Failure to deliver goods or services on time;

(3) Attempts to influence the decision of any commission employee involved in the procurement process;

(4) Debarment by the federal government or another state agency;

b. Process. The commission shall notify the vendor of the intent to suspend or debar and provide an opportunity to respond. The suspension or debarment shall be for a specific period of time commensurate with the severity of the offense.

751—5.5(8D) Vendor appeals. 7—Chapter 2506 applies to contested case proceedings conducted by the agency, including vendor appeals.

These rules are intended to implement Iowa Code sections 8D.3(3)*"b"* and 8D.11.

ARC 0507D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to authorized use and users and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 7, "Authorized Use and Users," Iowa Administrative Code, and to adopt a new Chapter 7 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the authorized use and users of the statewide network, ensuring network use is mission-based. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 7 and adopt the following **new** chapter in lieu thereof:

CHAPTER 7
AUTHORIZED USE AND USERS

751—7.1(8D) Definitions. For the purposes of interpreting these rules, the following definitions are applicable.

"Authorized facility" means a site operated by an authorized user that is consistent with the written mission of the authorized user.

"Authorized use" means use of the network by an authorized user or by persons acting on behalf of an authorized user as provided in this chapter for the following purposes of the authorized user: (1) state or federal communications as defined in this chapter; (2) education or educational purposes as defined in this chapter; (3) training programs provided under state law and training programs developed by authorized users; (4) telemedicine or related purposes as defined in this chapter; (5) official governmental use by a state agency or a federal agency as defined in this chapter consistent with authorized purposes under applicable state or federal law; (6) establishing and operating a shared data only network for law enforcement, emergency management, disaster services, emergency warning and other emergency information dissemination services to federal, state and local law enforcement agencies and local emergency management offices; or (7) city of Des Moines.

"Authorized user" means a private or public agency as defined in Iowa Code section 8D.2.

"Private agency" means an accredited nonpublic school, a nonprofit institution of higher education eligible for tuition grants, a hospital licensed pursuant to Iowa Code chapter 135B, or a physician clinic to the extent provided in Iowa Code section 8D.13(13).

"Public agency" means a state agency, an institution under the control of the board of regents, the judicial branch as provided in Iowa Code section 8D.13(14), a school corporation, a city library, a regional library as provided in Iowa Code chapter 256, a county library as provided in Iowa Code chapter 336, or an agency of the federal government.

751—7.2(8D) Eligibility.

7.2(1) *Mission-based use.* Use of the network must be consistent with the written mission of the authorized user.

7.2(2) *Unauthorized use.* The network shall not be used for personal, commercial, or political purposes, except as specifically authorized by law.

751—7.3(8D) Authorized facility connectivity.

7.3(1) *Education.* Public and private K-12 schools, area education agencies, and higher education institutions may connect directly to the network.

7.3(2) *State agencies.* State boards, commissions or departments; the Iowa national guard; and the executive, legislative, and judicial branches may connect directly to the network.

7.3(3) *Telemedicine.* Hospitals and physician clinics (as defined in Iowa Code section 8D.13(13)) may connect for telemedicine and educational purposes.

7.3(4) *Federal.* A board, commission, department, or agency of the federal government may connect to the network as provided in Iowa Code section 8D.13(13).

These rules are intended to implement Iowa Code sections 8D.2, 8D.3(1), 8D.3(3)*"b,"* and 8D.13(14) through 8D.13(17).

ARC 0506D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to certification of use and waivers and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 9, "Requests for Waiver of Network Use by Certified Users," and to adopt a new Chapter 9, "Certification of Use and Waivers," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

Pursuant to Executive Order 10, the Iowa Communications Network proposes to rescind Chapter 9 and adopt a new chapter in lieu thereof. The chapter describes the certification use and waivers for use of the statewide network. The new chapter eliminates language that is overly restrictive or obsolete and shortens the chapter.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 9 and adopt the following **new** chapter in lieu thereof:

CHAPTER 9
CERTIFICATION OF USE AND WAIVERS

751—9.1(8D) Purpose. This chapter establishes the process for a certifying user, as defined in Iowa Code section 8D.9, to request a waiver to use a telecommunications provider other than the network.

751—9.2(8D) Waiver request process.

9.2(1) *Submission.* A certifying user seeking a waiver from the use of the network shall submit a written request to the commission 15 days prior to a regularly scheduled meeting.

9.2(2) *Content.* The request must include a brief explanation of why the alternative telecommunications service is more cost-effective, is more operationally efficient, or better meets the specific technical needs of the user compared to the services available via the network.

751—9.3(8D) Review and approval.

9.3(1) The commission shall review the waiver request at a regularly scheduled meeting.

9.3(2) If the request demonstrates that the alternative service is in the best operational or financial interest of the certifying user, the commission shall grant the waiver.

9.3(3) A written determination shall be issued to the user following the commission's decision.

These rules are intended to implement Iowa Code sections 8D.3(3)*"b"* and 8D.9(2)*"b."*

ARC 0510D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to acceptable use and enforcement and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 10, "Use of the Network—Not a Vested Right and Written Warning, Suspension, Probation, Decertification, and Revocation of Use of the Network," and to adopt a new Chapter 10, "Acceptable Use and Enforcement," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the acceptable use policies and enforcement procedures for authorized users of the statewide network. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 10 and adopt the following **new** chapter in lieu thereof:

CHAPTER 10
ACCEPTABLE USE AND ENFORCEMENT

751—10.1(8D) Policy and authorized use.

10.1(1) *Privilege, not a right.* The ability to use the network is a privilege conferred by law to authorized users. It is not a vested property right. The commission may suspend or revoke access for violation of these rules or applicable law.

10.1(2) *Acceptable use.* Authorized users shall ensure that their use of the network complies with all applicable state and federal laws, the written mission of the authorized user, and the commission's acceptable use policies.

751—10.2(8D) Violations. The commission may suspend, revoke, or limit services to an authorized user for any of the following reasons:

10.2(1) Failure to pay for services rendered.
10.2(2) Use of the network for personal, commercial, or political purposes not authorized by law.
10.2(3) Allowing an unauthorized user to access the network.
10.2(4) Violation of the commission's technical standards or security protocols.
10.2(5) Any conduct prejudicial to the security or operation of the network.

751—10.3(8D) Enforcement procedure.

10.3(1) *Notice.* In the event of a violation, the executive director shall provide written notice to the authorized user describing the violation and requesting a remedy.

10.3(2) *Immediate suspension.* The commission may immediately suspend service without prior notice if the violation poses an immediate threat to the security or stability of the network.

10.3(3) *Decertification.* If a violation is not remedied or is habitual, the commission may revoke the user's authorization to connect to the network.

751—10.4(8D) Appeals. An authorized user aggrieved by a suspension or revocation may appeal the decision in accordance with the contested case procedures in 7—Chapter 2506.

751—10.5(8D) Privacy and content monitoring. The commission and its staff shall not monitor the content of transmissions on the network. Monitoring may only occur when necessary to effect trouble isolation and correction or to investigate a security violation or threat to the integrity of the network. Any such monitoring shall be kept to the absolute minimum necessary to resolve the issue.

These rules are intended to implement Iowa Code sections 8D.2, 8D.3(3)*"b,"* 8D.9 and 8D.13(14) through 8D.13(17).

ARC 0511D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to asset ownership and demarcation and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 11, "Asset Allocation and Ownership," and to adopt a new Chapter 11, "Asset Ownership and Demarcation," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes legal clarity regarding State-owned infrastructure versus leased or user-owned last-mile connections, explicitly defines the physical demarcation point where State responsibility ends and authorized user responsibility begins, and identifies necessary protections for State-owned equipment residing on user premises. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 11 and adopt the following **new** chapter in lieu thereof:

CHAPTER 11
ASSET OWNERSHIP AND DEMARCATION

751—11.1(8D) Asset ownership.

11.1(1) *Network backbone.* The network backbone (Part I) and the regional aggregation points (Part II) are the property of the state of Iowa and are managed and maintained by the commission.

11.1(2) *Last mile connections.* Part III connections (the "last mile" to the authorized user) may be owned by the state, leased from private telecommunications providers, or owned by the authorized user.

a. State-owned. Where the commission has constructed and owns the Part III connection, the commission is responsible for maintenance up to the demarcation point.

b. Leased. Where the commission leases the Part III connection from a third-party provider, maintenance and repair responsibilities are governed by the terms of the lease agreement between the commission and the provider.

c. User-owned. Where the authorized user owns the connection (e.g., fiber installed by a school district), the authorized user is solely responsible for maintenance and repair.

751—11.2(8D) Demarcation point.

11.2(1) *Definition.* The demarcation point (demarc) is the physical point where the commission's responsibility for the network ends and the authorized user's responsibility begins.

11.2(2) *Location.* Unless otherwise specified in a service agreement:

a. Fiber connections. The demarc is the termination panel or optical network terminal (ONT) installed by the commission at the authorized user's facility.

b. Equipment. The commission retains ownership and maintenance responsibility for the electronics (routers, switches) provided by the commission to deliver service up to the hand-off port on that device.

11.2(3) *Internal wiring.* The authorized user is responsible for all internal building wiring, cabling, cross-connects, and power beyond the demarcation point.

751—11.3(8D) Equipment return and liability.

11.3(1) *Access.* Upon the termination of service, the authorized user shall permit the commission reasonable access to the premises to remove state-owned equipment.

11.3(2) *Liability.* The authorized user constitutes a bailee of state property located on the user's premises. The authorized user shall be liable for the cost of repair or replacement of any state-owned equipment that is lost, stolen, or damaged due to the negligence or willful misconduct of the user or its agents.

751—11.4(8D) Surplus property. The commission shall dispose of obsolete or excess network assets in accordance with rule 751—17.3(8D).

These rules are intended to implement Iowa Code section 8D.3.

ARC 0512D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to rates and rate disputes and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 12, "Rates and Rate Disputes," Iowa Administrative Code, and to adopt a new Chapter 12 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the methodology for establishing self-sustaining rates for services on the statewide network, outlines notification procedures for rate adjustments, and provides a clear process for resolving billing disputes. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language and provides transparent guidance on rates and rate disputes.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 12 and adopt the following **new** chapter in lieu thereof:

CHAPTER 12
RATES AND RATE DISPUTES

751—12.1(8D) Rate methodology.

12.1(1) *Cost recovery.* The commission shall establish rates for all services based on the actual cost of operation, maintenance, administration, and capital investment required to provide the service. Rates shall be designed to be self-sustaining and consistent with the state's financial capacity.

12.1(2) *Educational priority.* In establishing rates for educational users, the commission shall ensure that rural communities have access to services comparable to those provided in urban areas, consistent with Iowa Code section 8D.3(1)*"a."*

12.1(3) *Federal and health users.* Rates for federal agencies, hospitals, and physician clinics shall be established at a level that ensures, at a minimum, there is no state subsidy related to the cost of the connection or use of the network, consistent with Iowa Code section 8D.3(3)*"i."*

751—12.2(8D) Rate increase notice. The commission shall provide notice to authorized users of any general rate increase at least 30 days prior to the effective date of the increase.

751—12.3(8D) Rate dispute resolution.

12.3(1) *Review.* An authorized user who believes the user has been billed an incorrect rate or charge may request a review by the executive director. The request must be in writing and include the specific invoice and the basis for the dispute.

12.3(2) *Determination.* The executive director or designee shall review the dispute and issue a written decision to the authorized user.

12.3(3) *Appeal.* If the authorized user is dissatisfied with the executive director's decision, the user may file a notice of appeal in accordance with the contested case procedures in 7—Chapter 2506.

These rules are intended to implement Iowa Code section 8D.3.

ARC 0504D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to rescission of chapters and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 13, "Site Charges and Other Fees," and Chapter 15, "Advisory Councils, Committees and Groups," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 8D.4 and Executive Order 10.

Purpose and Summary

This proposed rulemaking is the result of the Red Tape Review process outlined in Executive Order 10. As a result of the review, the Iowa Communications Network determined that the content in both chapters is obsolete and no longer reflects current agency operations.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **751—Chapter 13**.

ITEM 2. Rescind and reserve **751—Chapter 15**.

ARC 0509D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to access to facilities and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 14, "Access to Facilities," Iowa Administrative Code, and to adopt a new Chapter 14 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes the integrity, security, and reliability of the network by regulating access to network infrastructure or operated facilities, including network hubs, regeneration sites, and equipment rooms. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language and provides clearer guidance on access to facilities.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 14 and adopt the following **new** chapter in lieu thereof:

CHAPTER 14
ACCESS TO FACILITIES

751—14.1(8D) Purpose and scope. The purpose of this chapter is to protect the integrity, security, and reliability of the network by regulating access to commission-owned or operated facilities, including network hubs, regeneration sites, and equipment rooms.

751—14.2(8D) Authorized access. Access to commission facilities is restricted to:

14.2(1) Commission employees and agents acting within the scope of their employment.

14.2(2) Authorized vendors and contractors who have a valid contract or service agreement with the commission.

14.2(3) Colocation partners as defined in a written colocation agreement.

14.2(4) Emergency response personnel.

751—14.3(8D) Security procedures.

14.3(1) *Credentials.* All individuals entering a commission facility must possess valid identification and commission-issued credentials (key card, key, or access code). Credentials are nontransferable and shall not be shared or loaned.

14.3(2) *Background checks.* The commission reserves the right to require criminal history background checks for any nonemployee requesting access to critical infrastructure.

14.3(3) *Logs.* All entry and exit from commission facilities shall be logged. Use of a monitored electronic access control system satisfies this requirement.

751—14.4(8D) Vendor and colocation access.

14.4(1) *Authorization.* In support of the commission, third-party vendors and colocation partners may be granted access to specific facilities for the installation, maintenance, or removal of their equipment.

14.4(2) *Liability.* Any vendor or colocation partner entering a commission facility assumes full liability for any damage caused to the network, the facility, or the equipment of other tenants by the vendor's or colocation partner's employees or agents.

14.4(3) *Revocation.* The commission may immediately revoke access privileges for any individual who violates security protocols or endangers the network.

These rules are intended to implement Iowa Code section 8D.3.

ARC 0513D

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to miscellaneous and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 17, "Miscellaneous," Iowa Administrative Code, and to adopt a new Chapter 17 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

The proposed chapter describes specific administrative, operational, and financial functions of the agency, including asset disposal, network topology definitions, shared use agreements, and billing services. This proposed chapter was reviewed pursuant to Executive Order 10. As a result, the Iowa Communications Network removed redundant and obsolete language.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 17 and adopt the following **new** chapter in lieu thereof:

CHAPTER 17
MISCELLANEOUS

751—17.1(8D) Purpose. This chapter outlines specific administrative, operational, and financial functions of the agency, including asset disposal, network topology definitions, shared use agreements, and billing services.

751—17.2(8D) Network parts and right-of-way. The agency shall manage and operate the state communications network, which consists of Part I, Part II, and Part III fiber optic infrastructure as defined in Iowa Code section 8D.13. To facilitate the maintenance and expansion of these network parts, the executive director may negotiate and enter into necessary space and right-of-way agreements.

751—17.3(8D) Transfer and disposal of assets.

17.3(1) The executive director may dispose of property or equipment under the agency's ownership or control when the property or equipment becomes unnecessary, obsolete, or unfit for further use.

17.3(2) The agency may dispose of unnecessary or unfit property by sale, auction, broker, trade, consignment, or any other manner that maximizes the value to the state and fairly disposes of the property. Proceeds from the disposition of the property shall be retained by the agency.

751—17.4(8D) Partnerships and shared use agreements.

17.4(1) The executive director may enter into shared use agreements or partnerships with public or private entities, including cities, municipalities, and other nonauthorized users, to maximize the operational efficiency of the network.

17.4(2) Such partnerships shall be established to facilitate shared data connectivity, emergency management interoperability, or public safety services, provided such agreements do not violate statutory prohibitions against the provision of retail commercial services.

751—17.5(8D) Billing services.

17.5(1) *Billing on behalf of an authorized user.* The agency may invoice and collect fees on behalf of an authorized user for services provided across the network.

17.5(2) *Billing for shared use and space agreements.* The agency shall possess the authority to generate invoices, collect payments, and manage financial accounts for nonauthorized users operating under a valid shared use agreement, right-of-way agreement, or space collocation agreement.

These rules are intended to implement Iowa Code sections 23A.2, 8D.3 and 8D.11.

ARC 0551D

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Proposing rulemaking related to general accreditation standards and providing an opportunity for public comment

The State Board of Education hereby proposes to amend Chapter 12, "General Accreditation Standards," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 256.7 and 256.11.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 256.11.

Purpose and Summary

This proposed rulemaking conforms the requirements to offer and teach fine arts at the secondary level to the enabling statutory text and modernizes language regarding reporting for students based on student groups.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Thomas A. Mayes
Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Room B50 Grimes State Office Building Des Moines, Iowa Via videoconference: meet.google.com/bqq-inqz-hha By phone: 1 609.438.1406 PIN: 271 490 390#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind the definition of "Subgroups" in rule **281—12.2(256)**.

ITEM 2. Adopt the following **new** definition of "Student groups" in rule **281—12.2(256)**:

"Student groups" (formerly known as "subgroups") means a subset of the student population that has a common characteristic. Student groups include but are not limited to gender, race, students with disabilities, and socioeconomic status.

ITEM 3. Amend paragraph **12.5(5)"g"** as follows:

g. Fine arts (two units). Fine arts instruction ~~will~~ may include ~~at least two~~ any of the following:

(1) to (4) No change.

ITEM 4. Amend subparagraph **12.8(1)"b"(5)** as follows:

(5) Annual improvement goals. The board, with input from its school improvement advisory committee, will adopt annual improvement goals based on data from at least one districtwide assessment. The goals will describe desired annual increase in the curriculum areas of, but not limited to, mathematics, reading, and science achievement for all students, for particular ~~subgroups of students~~ student groups, or both. Annual improvement goals may be set for the early intervention program as described in subrule 12.5(18), other state indicators, locally determined indicators, locally established student learning goals, other curriculum areas, future student employability, or factors influencing student achievement.

ITEM 5. Amend paragraph **12.8(2)"a"** as follows:

a. State indicators. A school or school district will collect data on the following indicators for reporting purposes:

(1) The percentage of all ~~fourth~~ fourth-, ~~eighth~~ eighth-, and ~~eleventh grade~~ eleventh-grade students achieving proficient or higher reading status using at least three achievement levels and by gender, race, socioeconomic status, students with disabilities, and other ~~subgroups~~ student groups as required by state or federal law.

(2) The percentage of all ~~fourth~~ fourth-, ~~eighth~~ eighth-, and ~~eleventh grade~~ eleventh-grade students achieving proficient or higher mathematics status using at least three achievement levels and for gender, race, socioeconomic status, students with disabilities, and other ~~subgroups~~ student groups as required by state or federal law.

(3) The percentage of all ~~eighth~~ eighth- and ~~tenth grade~~ tenth-grade students achieving proficient or higher science status using at least three achievement levels.

(4) The percentage of students considered as dropouts for grades 7 to 12 by gender, race, students with disabilities, and other ~~subgroups~~ student groups as required by state or federal law.

(5) to (7) No change.

ITEM 6. Amend subparagraph **12.8(2)"b"(1)** as follows:

(1) Baseline data on at least one districtwide assessment for the state indicators described in subrule 12.8(3). Every year thereafter the school or school district will compare the annual data collected with the baseline data. A school or school district is not to report to the community about ~~subgroup~~ student group assessment results when a ~~subgroup~~ student group contains fewer than ten students at a grade level. A school or school district will report districtwide assessment results for all enrolled and tuitioned-in students.

ARC 0552D

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Proposing rulemaking related to general accreditation standards and providing an opportunity for public comment

The State Board of Education hereby proposes to amend Chapter 12, "General Accreditation Standards," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 256.7 and 256.11.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 256.11 and 279.80.

Purpose and Summary

Following appellate decisions allowing 2023 Iowa Acts, Senate File 496, to take effect (e.g., *Iowa Safe Schools v. Reynolds*, 172 F.4th 589 (8th Cir. 2026)), this proposed rulemaking provides further clarity in enforcement.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Thomas A. Mayes
Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Room B50 Grimes State Office Building Des Moines, Iowa Via videoconference: meet.google.com/bqq-inqz-hha By phone: 1.609.438.1406 PIN: 271 490 390#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following **new** subparagraph **12.3(10)"c"(5)**:

(5) In any complaint about library material, a complainant must inform the department of the specific title, the specific page (or means of locating information in nonprint materials), and the nature of the content alleged to be in violation of this paragraph.

ITEM 2. Adopt the following **new** paragraph **12.3(15)"d"**:

d. This subrule applies only to mandatory portions of a district's curriculum.

ARC 0550D

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Proposing rulemaking related to community colleges and providing an opportunity for public comment

The State Board of Education hereby proposes to amend Chapter 21, "Community Colleges," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256.139 as amended by 2026 Iowa Acts, House File 2610.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 256.139 as amended by 2026 Iowa Acts, House File 2610.

Purpose and Summary

This proposed rulemaking implements 2026 Iowa Acts, House File 2610, by establishing a statewide common course numbering system and a statewide lower division general education framework for Iowa community colleges. This proposed rulemaking establishes processes for identifying equivalent courses, assigning common course numbers, developing common course descriptions and learning outcomes through a faculty process, and implementing a common lower division general education framework.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Thomas A. Mayes
Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Room B50 Grimes State Office Building Des Moines, Iowa Via videoconference: meet.google.com/bqq-inqz-hha By phone: 1.609.438.1406 PIN: 271 490 390#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind subrule 21.4(1) and adopt the following **new** subrule in lieu thereof:

21.4(1) *General education.* General education is intended to provide breadth of learning to the community college experience. General education imparts common knowledge, promotes intellectual inquiry, and stimulates the examination of different perspectives, thus enabling people to function effectively in a complex and changing world. General education courses are not intended to be developmental in nature. Each community college is responsible for local implementation, publication, and assessment of student learning of its general education courses while ensuring ongoing compliance with the statewide lower division general education framework.

a. Uniform framework. Effective July 1, 2027, all community colleges will implement the statewide lower division general education framework for associate of arts (AA) and associate of science (AS) awards pursuant to Iowa Code section 256.139 as enacted by 2026 Iowa Acts, House File 2610.

b. Core disciplinary categories. The statewide lower division general education framework shall be established by the department and consist of the following four core disciplinary categories: communications, humanities, social science, and mathematics and science. To ensure seamless systemwide transferability, the department will collaborate with community colleges and consult with the liaison advisory committee on transfer students and the board of regents on the administration of the framework. The department has final administrative authority over the inclusion and modification of these categories within the statewide lower division general education framework.

c. Credit allocation guidelines. The specific credit allocation and credit distribution rules in the core disciplinary categories identified in paragraph 21.4(1)*"b"* will be broadly aligned with the transfer standards developed pursuant to the statutory articulation pathways authorized by Iowa Code section 262.9(31). The department shall coordinate with the community colleges and the board of regents to integrate these standards into the statewide lower division general education framework. The department-issued Iowa General Education Lower Division Framework Operational Guide will establish the administrative workflows necessary to submit, audit, and add courses, as well as the collaborative processes for updating credit allocations.

d. Statewide common course numbering integration. All courses approved to fulfill a distribution category requirement within the statewide lower division general education framework will follow the structural elements of paragraph 21.4(7)*"a."*

ITEM 2. Adopt the following **new** subrule 21.4(7):

21.4(7) *Statewide common course numbering system.* To ensure statewide transfer and alignment, all credit-bearing community college courses shall comply with requirements of the statewide common course numbering system pursuant to Iowa Code section 256.139 as enacted by 2026 Iowa Acts, House File 2610.

a. Structural elements. A common course entry within the centralized statewide common course numbering directory consists of the following standardized elements:

(1) Course prefix.
(2) Course number.
(3) Course name.
(4) Course credit hours.
(5) Course description.
(6) Course learning outcomes.

b. Central registry and system maintenance. The department will maintain a centralized statewide common course numbering directory. Procedural guidance, submission timelines and administrative workflows will be established within the Iowa Common Course Numbering Operational Guide.

c. Equivalent course identification. The department will maintain a centralized statewide common course numbering directory. New courses will be submitted by institutions for department approval prior to adoption by a community college.

d. Statewide integration. Standardized course identifiers from the statewide common course numbering system will be utilized universally across all community college course catalogs, registration systems, and official student transcripts.

e. Rule of construction. Individual community colleges retain the autonomy to include additional learning outcomes to fulfill unique regional or transfer needs, provided the course includes all common course outcomes.

ARC 0547D

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Proposing rulemaking related to special education and providing an opportunity for public comment

The State Board of Education hereby proposes to amend Chapter 41, "Special Education," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 256.7 and 256B.3.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 256B and 34 CFR Part 300.

Purpose and Summary

These proposed technical corrections provide additional support for students with disabilities who are placed outside of their building or district of residence.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Thomas A. Mayes
Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 8 to 9 a.m.	Room B50 Grimes State Office Building Des Moines, Iowa Via videoconference: meet.google.com/bqq-inqz-hha By phone at 1.609.438.1406 PIN: 271 490 390#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend paragraph **41.116(4)"b"** as follows:

b. Additional questions concerning special school placement. When some or all of an eligible individual's special education is to be provided in a special school (which, for purposes of this rule, is defined as an educational environment for students with disabilities, including anything labeled as a special school, special program, or separate location, outside of the public school building that the child would otherwise attend), the individual's IEP, or an associated or attached document, shall include specific answers to the following additional four questions:

(1) to (4) No change.

ITEM 2. Amend paragraph **41.903(2)"a"** as follows:

a. Ensuring that all the requirements related to the development of each eligible individual's IEP are met, including attending or otherwise participating in each eligible individual's IEP team meetings.

ARC 0538D

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rulemaking related to provider enrollment and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to amend Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 249A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 249A.

Purpose and Summary

This proposed rulemaking amends subrule 79.15(12) by changing the parameters for Iowa Medicaid provider validation and termination. The current subrule indicates that Iowa Medicaid providers that have not submitted a claim in the past 24 months will be sent a notice asking if the provider wishes to continue participation in the Medicaid program. Providers that fail to respond within 30 calendar days are terminated from participation.

As proposed to be amended, the subrule states that providers that have not submitted a claim within the previous 12 months will be deactivated from participation in the Iowa Medicaid program. Deactivated providers may request reactivation by contacting the Department and meeting all applicable requirements. Providers that remain deactivated and do not submit any claims for 24 consecutive months following deactivation will be terminated from participation.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

This proposed rulemaking may impact small business health care providers that have not submitted a claim to Iowa Medicaid in the last 12 months. Such providers may be deactivated from participation with Iowa Medicaid. This proposed rulemaking provides an avenue for such providers to reactivate their participation.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building

321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0539D**, IAB 9/2/26). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rulemaking, whose subject matter is hereby adopted by reference.

ARC 0553D

HUMAN SERVICES DEPARTMENT[441]

Amended Notice of Intended Action

Providing for a public hearing on rulemaking related to Healthy and Well Kids in Iowa (Hawki) Program

The Notice of Intended Action published in the Iowa Administrative Bulletin on March 4, 2026, as **ARC 0086D** proposes to amend Chapter 86, "Healthy and Well Kids in Iowa (Hawki) Program," Iowa Administrative Code. In order to receive additional oral comments concerning **ARC 0086D**, the Department of Health and Human Services hereby gives notice that a public hearing will be held as follows:

September 23, 2026 10 a.m.	Microsoft Teams Meeting ID: 299 521 373 675 206 Passcode: Dq6qm6ow

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 514I as amended by 2025 Iowa Acts, Senate File 474, division IV.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 514I as amended by 2025 Iowa Acts, Senate File 474, division IV.

Purpose and Summary

This proposed rulemaking serves to implement 2025 Iowa Acts, Senate File 474, division IV, by amending rule 441—86.7(514I).

2025 Iowa Acts, Senate File 474, division IV, pertains to Iowa's Children's Health Insurance Program (CHIP), Hawki. Within division IV, section 47 created new Iowa Code section 514I.8B and provided that following the first 30 days of commitment to a public institution, the Department will suspend rather than terminate an otherwise eligible individual's eligibility for Hawki. The Iowa Code section also requires the Department to adopt rules to implement the new Iowa Code section.

This new Iowa Code section is intended to implement Section 5121 of the federal Consolidated Appropriations Act, which similarly requires suspension rather than termination of eligibility after 30 days of commitment to a public institution for incarcerated individuals otherwise eligible for CHIP.

Prior to fully implementing this federal change, the Department must receive federal approval for a State Plan Amendment (SPA) from the Centers for Medicare and Medicaid Services (CMS). The SPA submission and attestations to CMS indicate a January 2027 implementation date. As such, the Department is seeking to extend the Notice period on the proposed rulemaking.

Fiscal Impact, Jobs Impact, Waivers

Statements related to the fiscal impact, jobs impact, and waiver of this rulemaking may be found in the preamble of **ARC 0086D**.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

ARC 0540D

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rulemaking related to child development homes and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to rescind Chapter 110, "Child Development Homes," and to adopt a new Chapter 110, "Child Care Homes with a Child Care Assistance Provider Agreement," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 234.6 and chapter 237A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 234.6 and chapter 237A.

Purpose and Summary

This proposed chapter was reviewed pursuant to Executive Order 10. During that review, it was determined that because there are many similarities between registered child development homes and child care homes with a child care provider agreement, the rules in 441—Chapter 120 could be integrated into Chapter 110, with specific rules for each category of child care home. By combining these rules into one chapter, the Department removed duplicative content and organized the new chapter in a way that the public can still find the information based on the type of child care home in question. This proposed chapter establishes registration procedures for child development homes. Included are application and renewal procedures, standards for providers, and procedures for compliance checks and complaint investigations. The proposed chapter also establishes procedures for child care homes that have a child care assistance provider agreement to receive child care assistance funds.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 10 to 10:30 a.m.	Microsoft Teams Meeting ID: 299 521 373 675 206 Passcode: Dq6qm6ow
September 23, 2026 2 to 2:30 p.m.	Microsoft Teams Meeting ID: 224 976 926 352 184 Passcode: 7K59Sm3e

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 441—Chapter 110 and adopt the following **new** chapter in lieu thereof:

CHAPTER 110
CHILD DEVELOPMENT HOMES AND CHILD CARE HOMES WITH A CHILD CARE ASSISTANCE PROVIDER AGREEMENT

441—110.1(237A) Definitions.

"Adult" means a person 18 years of age or older.

"Assistant" means a responsible person 14 years of age or older employed by the child care provider. The assistant may never be left alone with children. Ultimate responsibility for supervision is with the child care provider.

"Category," when referring to category A, B, or C, means one of the three categories of standards for child development homes established by Iowa Code section 237A.3A(3)*"a."*

"Child" means the same as defined in Iowa Code section 237A.1.

"Child care" means the same as defined in Iowa Code section 237A.1.

"Child care assistance provider agreement" means the approved form to receive payment under the child care assistance program.

"Child care facility" or *"facility"* means the same as defined in Iowa Code section 237A.1.

"Child care home" means the same as defined in Iowa Code section 237A.1.

"Child development home" means the same as defined in Iowa Code section 237A.1.

"Child support services" means the same as defined in Iowa Code section 252J.1(2).

"Coaching" means a relationship-based process led by an expert to build capacity for specific professional dispositions, skills, and behaviors and is focused on performance-based outcomes.

"Education" means formal coursework offered through a state-approved accredited secondary school, college, or university.

"Infant" means the same as defined in Iowa Code section 237A.1.

"Involvement with child care" means the same as defined in Iowa Code section 237A.1.

"Nonregistered child care home" means a child care home that has an approved payment application and a current child care assistance provider agreement with the department. Nonregistered child care homes are required to meet minimum health and safety standards under the child care and development block grant under 45 CFR 98.41 as amended to August 1, 2026.

"Parent" means parent or legal guardian.

"Person subject to an evaluation" means the same as defined in Iowa Code section 237A.5.

"Professional development" means a continuum of learning activities designed to prepare and support individuals for work with children and families, including coaching, education, and training.

"Provider" means the person or program that applies for registration to provide child care and is approved as a child development home or a nonregistered child care home.

"Registration" means the process by which child care providers certify that they comply with rules adopted by the department.

"Registration certificate" means the written document issued by the department to publicly state that the provider has certified in writing compliance with the minimum requirements for registration of a child development home.

"Relative" means grandparents, great-grandparents, aunts, uncles, and siblings living in a separate residence.

"School" means the same as defined in Iowa Code section 237A.1.

"Training" means a learning experience that addresses a specific topic of professional relevance that builds or enhances knowledge.

"Transgression" means the same as defined in Iowa Code section 237A.1.

441—110.2(237A) Application for registration as a child development home or payment as a nonregistered child care home.

110.2(1) A child development home provider shall apply for registration on the Application for Child Development Home Registration form.

110.2(2) A nonregistered provider shall apply for payment as a nonregistered child care home on the Payment Application for Nonregistered Provider form.

441—110.3(237A) Renewal of registration or payment application. Renewal of registration or payment application shall be completed every 24 months. To request renewal, a provider shall submit a renewal application on the department-approved form and supply to the department all training completion evidence either through certificates or as updated in Iowa's early childhood and school age professional workforce registry (i-PoWeR).

441—110.4(237A) Compliance checks. Prior to child development home registration, a site visit to inspect for compliance with health, safety, and fire standards will be completed. An unannounced compliance visit will be conducted not less than annually to each child development home and nonregistered child care home.

441—110.5(237A) Parental access. Parents shall be afforded unlimited access to their children and to the people caring for their children during the normal hours of operation or whenever their children are in the care of the child development home or nonregistered child care home unless parental contact is prohibited by court order.

441—110.6(237A) Number of children.

110.6(1) *Standards.* The number of children in a child development home or nonregistered child care home shall conform to the following standards.

a. Registered child development home limits. Except as provided in subrule 110.6(3), no greater number of children shall be received for care at any one time than the number authorized on the registration certificate.

b. Nonregistered child care home limits. No more than six children shall receive care at any one time if at least one child is school-aged.

110.6(2) *Children counted.* The number of children counted is as stated in Iowa Code section 237A.3A(4).

110.6(3) *Exception for emergency school closing.* On days when schools start late, are dismissed early, or are canceled or closed due to emergencies such as inclement weather, physical plant failure, structural damage, or public health emergency, a child development home may have additional children present in accordance with the authorization for the registration category of the home and subject to all of the following conditions:

a. One or more of the following conditions are applicable to each of the additional children present in the child development home:

(1) The home provides care to the child on a regular basis for periods of less than two hours.

(2) If the child were not present in the child development home, the child would be unattended.

(3) The home regularly provides care to a sibling of the child.

b. The provider shall maintain a written record, including the date of the emergency school closing, the reason for the closing, and the number of children in care on that date.

441—110.7(237A) Provider requirements.

110.7(1) *Provider.* The provider shall:

a. Give careful supervision at all times.

b. Exchange information with the parent of each child frequently to enhance the quality of care.

c. Give consistent, dependable care and be capable of handling emergencies.

d. Be present at all times, except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute as permitted for a child development home under subrule 110.7(2).

e. Be free of the use of illegal drugs and not under the influence of alcohol or any prescription or nonprescription drug that could impair the provider's ability to give careful supervision.

110.7(2) *Substitutes in child development homes.* Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider.

a. All standards in this chapter regarding supervision and care of children shall apply to substitutes.

b. Except in emergency situations, the provider shall inform parents in advance of the planned use of a substitute.

c. The substitute must be 18 years of age or older.

d. Use of a substitute shall be limited to:

(1) No more than 25 hours per month.

(2) An additional period of up to two weeks in a 12-month period.

e. The provider shall maintain a written record of the number of hours care is provided by a substitute, including the date of the care and the name of the substitute.

441—110.8(237A) Standards. Conditions in the home shall be safe, sanitary, and free of hazards.

110.8(1) *Facility requirements.*

a. The home shall have a telephone with emergency numbers for police, fire, ambulance, and the poison information center accessible.

b. The phone number for each child's parent, and for a responsible person who can be reached when the parent is not available, shall be accessible.

c. All travel vehicles must have a copy of emergency parent contact information in the vehicle.

d. Electrical wiring shall be maintained, and all accessible electrical outlets shall be tamper-resistant outlets or shall be safely capped. Electrical cords shall be properly used and in the manner for which they were designed.

e. Combustible materials shall be kept a minimum of three feet away from furnaces, stoves, water heaters, and gas dryers.

f. Approved safety gates at stairways and doors shall be provided and used as needed.

g. Annual laboratory analysis of a private water supply shall be conducted to show satisfactory bacteriological quality. When children under the age of two are to be cared for, the analysis shall include a nitrate analysis. When private water supplies are determined unsuitable for drinking, commercially bottled water or water treated through a process approved by the department shall be provided.

h. A safety barrier shall surround any heating stove or heating element.

i. The home shall have at least one 2A 10BC-rated fire extinguisher located in a visible and readily accessible place on each child-occupied floor.

j. The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes.

k. Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during the home's hours of operation. "No smoking" signs shall be posted at every entrance of the child care home and in every vehicle used to transport children. All signs shall include:

(1) The telephone number for reporting complaints, and

(2) The internet address of the department where complaints can be filed.

l. Homes served by a private sewage disposal system shall be operated and maintained to ensure the system is properly treating the wastewater and not creating an unsanitary condition in the environment. Discharge of untreated wastewater from private sewage disposal systems is prohibited.

m. A provider operating in a facility built before 1978 shall assess and control lead hazards. To comply with this provision, the provider shall:

(1) Determine whether painted surfaces on the interior or exterior of the facility are chipping, peeling, cracking, or in need of repair. Painted surfaces include walls, ceilings, windows, doors, stairs, and woodwork; and

(2) If painted surfaces are in need of repair, the home shall hire an Iowa certified lead-safe renovator to make repairs. Iowa lead-safe renovators shall apply interim controls on any chipping, peeling, or cracking paint found, using lead-safe work methods in accordance with and as defined by department as set forth in 481—Chapters 469 and 470.

n. The child development home or nonregistered child care home shall be located in a single-family residence that is owned, rented, or leased by the person or, for dual registrations, at least one of the persons named on the child development home's certificate of registration.

o. Any driver who transports children for any purpose shall have a valid driver's license and adequate motor vehicle insurance that authorizes the driver to operate the type of vehicle being driven. Child restraint devices shall be utilized in compliance with Iowa Code section 321.446.

p. Providers shall inform parents of the presence of any pet in the home.

(1) Each dog or cat in the household shall undergo an annual health examination by a licensed veterinarian. Veterinary examinations shall be documented on a veterinary health certificate or record of standard veterinary preventative care. This examination shall verify the animal's routine immunizations are current and there is no evidence of endoparasites and ectoparasites.

(2) Aquariums shall be well maintained and installed in a manner that prevents children from accessing the water or pulling over a tank.

(3) All animal waste shall be immediately removed from the children's areas and properly disposed of. Children cannot perform any feeding or care of pets or cleanup of pet waste.

(4) No animals shall be allowed in the food preparation, food storage, or serving areas during food preparation and serving times.

q. Using an injury report form, the provider shall document all injuries needing first aid or medical care. The form shall be completed on the date of occurrence, shared with the parent, and maintained in the child's file.

r. The provider shall have written policies regarding the care of mildly ill children and the exclusion of children due to illness and shall inform parents of these policies.

s. The provider shall have written policy and procedures for responding to health-related emergencies.

t. The certificate of registration shall be displayed in a conspicuous place.

u. Serious injuries, as defined in Iowa Code section 702.18, that occur in a child care facility or when a child is in the care of child care facility staff shall be reported to the department within 24 hours of the incident. Serious injuries shall be documented and information maintained in the child's file.

110.8(2) *Use of outdoor space.*

a. A safe outdoor play area shall be maintained in good condition throughout the year. The play area shall:

(1) Be fenced off when located on a busy thoroughfare or near a hazard that could be injurious to a child.

(2) Have both sunshine and shade areas.

(3) Be kept free from litter, rubbish, and flammable materials.

(4) Be free from contamination by the drainage or ponding of sewage, household waste, or storm water.

b. When there is a swimming or wading pool on the premises:

(1) The wading pool shall be drained daily and shall be inaccessible to children when it is not in use.

(2) An aboveground or in-ground swimming pool that is not fenced shall be covered whenever the pool is not in use. The cover shall meet or exceed the standards set forth by ASTM International intended to reduce the risk of drowning by inhibiting access to the water by children under five years of age.

(3) An uncovered aboveground swimming pool shall be enclosed with an approved fence that is nonclimbable and is at least four feet high.

(4) An uncovered in-ground swimming pool shall be enclosed with an approved fence that is nonclimbable and is at least four feet high and flush with the ground.

c. If children are allowed to use an aboveground or in-ground swimming pool:

(1) Written permission from parents shall be available for review.

(2) Equipment needed to rescue a child or adult shall be readily accessible.

(3) The child care provider shall accompany the children and provide constant supervision while the children use the pool.

(4) The child care provider shall complete training in cardiopulmonary resuscitation (CPR) for infants, toddlers, and children, according to the criteria of the American Red Cross or the American Heart Association.

110.8(3) *Medications and hazardous materials.*

a. All medicines and poisonous, toxic, or otherwise unsafe materials shall be secured from access by a child.

b. A first aid kit shall be available and easily accessible whenever children are in the child development home or nonregistered child care home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall at a minimum include adhesive bandages, bottled water, tweezers, and disposable plastic gloves.

c. Medications shall be given only with the parent's or doctor's written authorization. Each prescribed medication shall be accompanied by a physician's or pharmacist's direction. Both nonprescription and prescription medications shall be in the original container with directions intact and labeled with the child's name. All medications shall be stored properly and, when refrigeration is required, stored in a separate, covered container to prevent contamination of food or other medications. All medications shall be stored so they are inaccessible to children. Any medication administered to a child shall be recorded, including the name of the medication, the date and time of administration, and the amount administered.

d. The provider shall establish procedures related to infectious disease control and handling of any bodily excrement or discharge or blood. Soiled diapers shall be stored in containers separate from other waste.

110.8(4) *Emergency plans.* Emergency plans in case of human-made or natural disaster shall be written and posted by the primary and secondary exits. The plans shall clearly map building evacuation routes and tornado and flood shelter areas.

a. Fire and tornado drills shall be practiced monthly, and the provider shall keep documentation evidencing compliance with monthly practice on file for the current year and the previous year.

b. The provider must have procedures in place for the following:

(1) Evacuation to safely leave the facility.

(2) Relocation to a common, safe location after evacuation.

(3) Shelter-in-place to take immediate shelter where the child is when it is unsafe to leave that location due to the emergent issue.

(4) Lockdown to protect children and providers from an external situation.

(5) Communication and plans for reunification with families.

(6) Continuity of operations.

(7) To address the needs of individual children, including those with functional or physical access needs.

110.8(5) *Safe sleep.*

a. The provider shall follow safe sleep practices as recommended by the American Academy of Pediatrics for infants under the age of one. Infant sleep shall conform to the following standards:

(1) Infants shall always be placed on their backs for sleep.

(2) Infants shall be placed on a firm mattress with a tight-fitted sheet that meets U.S. Consumer Product Safety Commission standards.

(3) Infants cannot be allowed to sleep on a bed, sofa, air mattress, or other soft surface.

(4) No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant.

(5) No co-sleeping shall be allowed.

(6) Sleeping infants shall be actively observed by sight and sound.

(7) If an alternate sleeping position is needed, a signed physician or physician associate authorization with statement of medical reason is required.

b. No child shall be allowed to sleep in any item not designed for sleeping, such as an infant seat, car seat, swing, or bouncy seat.

c. A crib or criblike furniture that has a waterproof mattress covering and sufficient bedding to enable a child to rest comfortably and that meets the current standards or recommendations from the U.S. Consumer Product Safety Commission or ASTM International for juvenile products shall be provided for each child under two years of age if developmentally appropriate. Crib railings shall be fully raised and secured when the child is in the crib. A crib or criblike furniture shall be provided for the number of children present at any one time. The home shall maintain all cribs or criblike furniture and bedding in a clean and sanitary manner. There shall be no restraining devices of any type used in cribs.

d. All items used for sleeping must be used in compliance with manufacturer standards for the age and weight of the child.

110.8(6) *Discipline.* Discipline shall conform to the following standards:

a. Corporal punishment, including spanking, shaking, and slapping, shall not be used.

b. Punishment that is humiliating or frightening or that causes pain or discomfort to the child shall not be used.

c. Punishment cannot be administered because of a child's illness, or progress or lack of progress in toilet training, nor shall punishment or threat of punishment be associated with food or rest.

d. No child shall be subjected to verbal abuse, threats, or derogatory remarks about the child or the child's family.

e. Discipline shall emphasize prevention by having clear and consistent rules and by teaching children self-control, self-esteem, and respect for the rights of others.

110.8(7) *Meals and snacks.*

a. Registered child development homes shall provide regular meals, midmorning snacks, and midafternoon snacks.

(1) The meals and snacks shall be well-balanced, nourishing, and in appropriate amounts as defined by the United States Department of Agriculture (USDA) Child and Adult Care Food Program.

(2) Nonregistered child care homes do not have to meet the USDA Child and Adult Care Food Program.

b. Children may bring food to the child development home or nonregistered child care home for their own consumption but cannot be required to provide their own food.

c. Clean, sanitary drinking water shall be readily available to children in indoor and outdoor areas throughout the day.

110.8(8) *Activity program.* There shall be an activity program that promotes self-esteem and exploration and includes:

a. Active play.

b. Quiet play.

c. Activities for large-muscle development.

d. Activities for small-muscle development.

e. Play equipment and materials in a safe condition, for both indoor and outdoor activities that are developmentally appropriate for the ages and number of children present.

441—110.9(237A) Files.

110.9(1) The child development home provider shall maintain a file that contains the following:

a. A physical examination report within six months of becoming registered. Acceptable physical examinations shall be documented on the Child Care Provider Physical Examination Report form. All children residing in the household must have the medical documentation outlined in paragraphs 110.9(4)*"d," "f,"* and *"g."*

b. i-PoWeR records or certificates verifying required training completion.

110.9(2) An individual file for each staff assistant in a child development home shall be maintained and contain the following:

a. Documentation from the department that confirms the required record checks have been completed and authorizes or conditionally limits the person's involvement with child care.

b. A completed Child Care Provider Physical Examination Report form.

c. Certification of a minimum of two hours of approved training relating to the identification and reporting of child abuse as required by Iowa Code section 232.69.

110.9(3) An individual file for each substitute in a child development home shall be maintained and shall contain the following:

a. Documentation from the department that confirms the required record checks have been completed and authorizes or conditionally limits the person's involvement with child care.

b. A completed Child Care Provider Physical Examination Report form.

c. Certification of a minimum of two hours of approved training relating to the identification and reporting of child abuse as required by Iowa Code section 232.69.

d. Certification in first aid and CPR.

e. Certification or other documentation that minimum health and safety training has been completed.

110.9(4) Children's files. An individual file for each child shall be maintained and updated annually or when the provider becomes aware of changes. If the child meets the definition of homelessness as defined by Section 725(2) of the McKinney-Vento Homeless Education Assistance Act as amended to August 1, 2026, the family shall receive a 60-day grace period to obtain medical documentation. The file shall contain:

a. Identifying information including at a minimum the child's name, birth date, and address.

b. Parent/guardian contact information.

c. Emergency contacts and persons who can pick up the child as authorized by the parent.

d. Contact information and authorization of emergency medical and dental services.

e. An admission physical examination report signed by a licensed medical doctor, doctor of osteopathy, chiropractor, physician associate, or advanced registered nurse practitioner.

(1) The date of the physical examination cannot be more than 12 months before the child's first day of attendance at the child development home or non-regulated child care home.

(2) The written report shall include the child's past health history; status of the child's present health, allergies, and restrictive conditions; and recommendations for continued care when necessary.

(3) For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physical examination report.

(4) The examination report or statement of health status shall be on file before the child's first day of care.

f. For children under the age of six, a statement of health condition signed by a licensed medical doctor, doctor of osteopathy, chiropractor, physician associate, or advanced registered nurse practitioner

and submitted annually from the date of the admission physical examination. For a child who is enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the statement of health.

g. For each school-age child, on the first day of attendance, documentation of a physical examination that was completed at the time of school enrollment or since.

h. A signed and dated immunization certificate provided by the department. For the school-age child, a copy of the most recent immunization record shall be acceptable. Documentation of a valid certificate of immunization exemption (religious or medical) or provisional certificate of immunization may be submitted in lieu of a certificate of immunization.

i. For any child with allergies, a written emergency care plan in case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.

j. Documentation that is signed by the parent and names of persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.

k. Written permission from the parent for the child to attend activities away from the child development home or nonregistered child care home.

l. Injury report forms documenting injuries requiring first aid or medical care.

441—110.10(237A) Professional development.

110.10(1) *Required training.*

a. Prior to registration or approval as a nonregistered child care home, the provider shall complete minimum health and safety trainings, approved by the department, in all of the following areas:

(1) Prevention and control of infectious disease, including immunizations.

(2) Prevention of sudden infant death syndrome and use of safe sleep practices.

(3) Administration of medication, consistent with standards for parental consent.

(4) Prevention of and response to emergencies due to food and allergic reactions.

(5) Building and physical-premises safety, including identification of and protection from hazards that can cause bodily injury, such as electrical hazards, bodies of water, and vehicular traffic.

(6) Prevention of shaken baby syndrome and abusive head trauma.

(7) Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event.

(8) Handling and storage of hazardous materials and the appropriate disposal of biocontaminants.

(9) Precautions in transporting children.

(10) Child development.

b. Prior to registration or approval as a nonregistered child care home, the provider shall complete two hours of Iowa's training for mandatory reporting of child abuse as required by Iowa Code section 232.69. The provider shall maintain a valid certificate indicating expiration date.

c. Prior to registration or approval as a nonregistered child care home, the provider shall complete pediatric first aid and pediatric CPR training that meets the following requirements:

(1) Training shall be provided by a nationally-recognized training organization, such as the American Red Cross, American Heart Association, National Safety Council, American Safety and Health Institute, or MEDIC First Aid or by an equivalent trainer using curriculum approved by the department.

(2) The provider shall maintain a valid certificate indicating the date of first aid training and the expiration date.

(3) The provider shall maintain a valid certificate indicating the date of CPR training and the expiration date.

d. The provider must earn 12 contact hours of training each calendar year from approved subject areas from the Council for Professional Recognition or approved content areas from the National Afterschool Association.

e. During each calendar year, the nonregistered child care home provider shall receive a minimum of three hours of training from approved content areas. If course content overlaps between calendar years, hours may still count towards professional development requirements.

f. Minimum health and safety training may be required if content has significant changes that the department warrants that the training be renewed.

g. A child development home provider who has completed training through a child care resource and referral agency or community college within six months prior to initial registration shall be permitted to count the training toward the provider's total training required during the initial registration.

110.10(2) *Approved trainings.*

a. Professional development contact hours can be coaching, education, or training provided by a department-approved entity.

b. Coaching contact hours may only be used to meet up to half of an individual's annual professional development requirement.

c. The department may randomly monitor any state-approved professional development for quality control purposes.

d. Professional development conducted with staff during the hours of operation of the facility, during staff lunch hours, or while children are resting cannot diminish supervision provided to children. The provider cannot be actively engaged in care and supervision while simultaneously participating in training.

e. A professional development organization not approved by the department may submit for review to the department a request for child care training approval. All approvals unless otherwise specified shall be valid for five years. The department will issue its decision within 30 business days of receipt of a complete request.

f. Department-approved entities must provide participants a professional development certificate for approved professional development contact hours.

441—110.11(237A) Child development home registration; child care assistance provider agreement and payment application for nonregistered providers.

110.11(1) Child development home registration.

a. The department will issue a Certificate of Registration form when an applicant meets all requirements for registration.

b. Registration will be denied or revoked if the department finds a hazard to the safety and well-being of a child and the provider cannot correct or refuses to correct the hazard, even though the hazard may not have been specifically listed under the health and safety rules. Registration may also be denied or revoked if the department determines that the provider has failed to comply with standards imposed by law and these rules.

110.11(2) Child care assistance provider agreement and payment application for nonregistered providers decision.

a. The department will approve a payment agreement application when an applicant meets the requirements.

b. The child care assistance provider agreement will be denied or revoked if the department finds a hazard to the safety and well-being of a child and the provider cannot correct or refuses to correct the hazard, even though the hazard may not have been specifically listed under the health and safety rules. The child care assistance provider agreement may also be denied or revoked if the department determines that the provider has failed to comply with standards imposed by law and these rules.

110.11(3) Record checks.

a. State and national record checks. The department will conduct Iowa criminal history record and child abuse record checks for each registrant, substitute or staff member, anyone living in the home who is 14 years of age or older, and anyone having access to a child when the child is alone. The department will conduct national criminal history record checks, based on fingerprints, for each registrant, substitute or staff member, anyone living in the home who is 18 years of age or older, and anyone 18 years of age

or older having access to a child when the child is alone. In accordance with Iowa Code section 726.23, minors under the age of 18 will not be subject to the fingerprint requirement.

(1) The purpose of these record checks is to determine whether a person has committed a transgression that prohibits or limits the person's involvement with child care.

(2) The department may also conduct criminal history record and child abuse record checks in other states and may conduct dependent adult abuse, sex offender registry, and other public or civil offense record checks in Iowa or other states.

b. Authorization. The person subject to record checks shall complete the Record Check Authorization form, Waiver Agreement form, federal fingerprint card, and any other forms required by the department of public safety to authorize the release of records.

c. Iowa records checks. Checks and evaluations of Iowa child abuse and criminal history records will be completed before the person's involvement with child care. Iowa records checks will be repeated at a minimum of every two years and when the department or the registrant becomes aware of any possible transgressions committed by that person. The department is responsible for the cost of conducting the Iowa records checks.

d. National criminal history record checks. Fingerprint-based checks of national criminal history records will also be completed before a person's involvement with child care. This requirement will be for an initial application for registration or a renewal application for registration. The national criminal history record check will be repeated for each person subject to the check every four years and when the department or registrant becomes aware of any new transgressions committed by that person in another state. The department is responsible for the cost of conducting the national criminal history record check.

(1) The registrant/provider is responsible for any costs associated with the taking of fingerprints of all persons subject to record checks and for submitting the fingerprints to the department so that the national criminal history record check can be completed. Fingerprints may be taken (rolled) by law enforcement agencies or by agencies or companies that specialize in taking fingerprints and are approved by the department.

(2) The department will provide fingerprints to the department of public safety no later than ten business days after receipt of the fingerprint cards. The department will submit the fingerprints on forms or in a manner prescribed by the department of public safety.

(3) The department may rely on the results of previously conducted national criminal history record checks when a person subject to a record check in one child development home or child care home submits a request for involvement with child care in another child development home or child care home, so long as the person's national criminal history record check is within the allowable four-year time frame. All initial or new applications shall require a new national criminal history record check.

e. Mandatory and mandatory time-limited prohibition. A person with any convictions or founded abuse reports as defined in Iowa Code section 237A.5(2)*"i"* is prohibited from involvement with child care.

f. Evaluation required. For all other transgressions, and as requested, the department will evaluate the transgression and make a decision about the person's involvement with child care.

(1) The person with the transgression shall complete and return the Record Check Evaluation form within ten calendar days of the date on the form. The department will use the information the person with the transgression provides on this form to assist in the evaluation. Failure of the person with the transgression to complete and return this form within ten calendar days of the date on the form shall result in denial or revocation of the registration certificate.

(2) The department may use information from the department's case records in performing the evaluation.

(3) When a person subject to a record check has a transgression that has been determined in a previous evaluation not to warrant prohibition of the person's involvement with child care and the person has no subsequent transgressions, an exemption from reevaluation of the latest record check is authorized. The person may commence employment with another child care facility in accordance with the department's previous evaluation. The exemption is subject to all of the following conditions:

1. The position with the subsequent employer is substantially the same or has the same job responsibilities as the position for which the previous evaluation was performed.

2. Any restrictions placed on the person's employment by the department in the previous evaluation shall remain applicable in the person's subsequent employment.

3. The person subject to the record check has maintained a copy of the previous evaluation and provides the evaluation to the subsequent employer or the previous employer provides to the subsequent employer the previous evaluation from the person's personnel file pursuant to the person's authorization. If a physical copy of the previous evaluation is not provided to the subsequent employer, the record check shall be reevaluated.

4. The subsequent employer may request a reevaluation of the record check and may employ the person while the reevaluation is being performed.

g. Evaluation decision. The department has final authority in determining whether prohibition of the person's involvement with child care is warranted and in developing any conditional requirements or corrective action plan.

(1) Within 30 calendar days of receipt of a completed record check evaluation, the department will make a decision on the person's involvement with child care.

(2) Within 30 calendar days of receipt of a completed record check evaluation, the department will mail to the person subject to an evaluation a record check decision that explains the decision reached regarding the evaluation of the transgression and a notice of decision.

(3) The department will issue a notice of decision prohibiting involvement with child care when the person subject to an evaluation fails to complete the record check evaluation within the ten-calendar-day time frame.

(4) If the department determines, through the record check evaluation process, that the person's prohibition of involvement with child care is warranted, the person shall be prohibited from involvement with child care. The department may identify a period of time after which the person may request that another record check and evaluation be performed.

(5) The department may permit a person who is evaluated to maintain involvement with child care if the person complies with the department's conditions relating to the person's involvement with child care, which may include completion of additional training or an individually designed corrective action plan, or both. For an employee of a registrant, these conditional requirements shall be developed with the registrant. All conditions placed on a person's involvement with child care shall be communicated, in writing, to both the person subject to the evaluation and the registrant.

(6) The department will reevaluate any transgressions where a state or federal law change requires different considerations of the transgression than had been previously applied.

h. Notice to parents of abuse in care. If there has been founded child abuse committed by an owner, director, or staff member of the child care facility or child care home, the department's administrator shall notify the parents, guardians, and legal custodians of each child for whom the facility or child care home provides care.

(1) The child care facility or child care home shall cooperate with the department in providing the names and addresses of the parent, guardian, or custodian of each child for whom the facility provides child care.

(2) This information shall be provided to the department within ten calendar days from the date of the initial request.

(3) Failure or refusal to provide the requested information may result in cancellation of the provider agreement.

110.11(4) If the department has denied or revoked a registration or child care assistance provider agreement because the provider has continually or repeatedly failed to operate in compliance with Iowa Code chapter 237A and this chapter, the person cannot own or operate a registered facility for a period of 12 months from the date of denial or revocation. The department will not act on an application for registration submitted by the applicant or provider during the 12-month period. The applicant shall be prohibited from involvement with child care unless the department specifically permits the involvement.

110.11(5) If a certificate of registration or child care assistance provider agreement is revoked, the department will notify the parent, guardian, or legal custodian of each child for whom the facility provides care. The provider shall cooperate with the department in providing the name and address of the parent, guardian, or legal custodian of each child for whom the facility provides child care.

110.11(6) Required notifications to the department. The provider shall, within ten days, notify the department of any of the following:

a. Changes in assistants or substitutes;

b. Changes in household membership;

c. Address changes; and

d. Criminal convictions.

110.11(7) No assistant, substitute, or co-provider shall be utilized in the care of children and no person shall be permitted to reside in the household until approved by the department.

110.11(8) If the provider does not notify the department of changes within ten days, the provider may be subject to revocation of registration or to recoupment of child care assistance provided, or both.

110.11(9) Notice of child development home revocation. A notice received by an owner or operator of a child development home initiating action to deny or revoke the home's registration shall be conspicuously posted where it can be read by parents or any member of the public. The letter shall remain posted until resolution of the action to deny or revoke an owner's or operator's certificate of registration.

441—110.12(237A) Complaints. The department will conduct a visit when a complaint is received.

110.12(1) After each complaint visit, the department will document whether the child development home or nonregistered child care home was in compliance with health and safety requirements.

110.12(2) The written documentation of the department's conclusion as to whether the child development home or nonregistered child care home was in compliance with requirements will be available to the public. However, the identity of all complainants will be confidential unless expressly waived by the complainant.

441—110.13(237A) Additional requirements for child development home category A. In addition to the requirements in rule 441—110.8(237A), a provider requesting registration in child development home category A shall meet the following standards.

110.13(1) *Limits on number of children in care.*

a. No more than six children not attending kindergarten or a higher grade level shall be present at any one time.

b. Of these six children, no more than four children who are 24 months of age or younger shall be present at any one time. Of these four children, no more than three can be 12 months of age or younger.

c. In addition to the six children not in school, no more than two children who attend school can be present.

d. No more than eight children shall be present at any one time when an emergency school closing is in effect.

110.13(2) *Provider qualifications.*

a. The provider shall be at least 18 years old.

b. The provider shall have three written references that attest to character and ability to provide child care.

441—110.14(237A) Additional requirements for child development home category B. In addition to the requirements in rule 441—110.8(237A), a provider requesting registration in child development home category B shall meet the following standards.

110.14(1) *Limits on number of children in care.*

a. No more than eight children not attending kindergarten or a higher grade level shall be present at any one time.

b. Of these eight children, no more than four children who are 24 months of age or younger shall be present at any one time. Of these four children, no more than three can be 12 months of age or younger.

c. In addition to the eight children not in school, no more than four children who attend school can be present.

d. No more than 12 children shall be present at any one time when an emergency school closing is in effect.

e. If more than eight children are present at any one time for a period of more than two hours, the provider shall be assisted by a department-approved assistant unless extra children are present as a result of an emergency school closing.

110.14(2) *Provider qualifications.*

a. The provider shall be at least 20 years old.

b. The provider shall have a high school diploma, a GED, or documentation of current or previous enrollment in credit-based coursework from a postsecondary educational institution that is an accredited college or university.

c. The provider shall have either:

(1) Two years of experience as a registered or nonregistered child care provider or a child care center experience, or

(2) A child development associate credential or any two-year or four-year degree in a child care-related field and one year of experience as a registered or nonregistered child care home provider or child care center experience.

110.14(3) *Facility requirements.*

a. The home shall have a minimum of 35 square feet of child-use floor space for each child in care indoors and a minimum of 50 square feet per child in care outdoors.

b. The home shall have a separate quiet area for sick children.

c. The home shall have a minimum of two direct exits to the outside from the main floor.

(1) If the second level or the basement of the home is used for the provision of child care, other than the use of a restroom, each additional child-occupied floor shall have at least one direct exit to the outside in addition to one inside stairway.

(2) All exits shall terminate at grade level with permanent steps.

(3) A basement window may be used as an exit if the window can be opened from the inside without the use of tools and it provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor, with permanent steps inside leading up to the window.

(4) Occupancy above the second floor cannot be permitted for child care.

441—110.15(237A) Additional requirements for child development home category C without a co-provider. In addition to the requirements in rule 441—110.8(237A), a provider requesting registration in child development home category C without a co-provider shall meet the following standards.

110.15(1) *Limits on number of children in care.*

a. No more than eight children not attending kindergarten or a higher grade level shall be present at any one time.

b. Of these eight children, no more than four children who are 24 months of age or younger shall be present at any one time. Of these four children, no more than three can be 12 months of age or younger.

c. In addition to the eight children not in school, no more than four children who attend school can be present.

d. No more than 12 children shall be present at any one time when an emergency school closing is in effect.

e. If more than eight children are present at any one time for a period of more than two hours, the provider shall be assisted by a department-approved assistant unless extra children are present as a result of an emergency school closing.

110.15(2) *Provider qualifications.*

a. The provider shall be at least 21 years old.

b. The provider shall have a high school diploma, a GED, or documentation of current or previous enrollment in credit-based coursework from a postsecondary educational institution that is an accredited college or university.

c. The provider shall have either:

(1) Four years of experience as a registered, nonregistered child care provider, child care center experience, or

(2) A child development associate credential or any two-year or four-year degree in a child care-related field and four years of experience as a registered or nonregistered child care home provider.

110.15(3) *Facility requirements.*

a. The home shall have a minimum of 35 square feet of child-use floor space for each child in care indoors and a minimum of 50 square feet per child in care outdoors.

b. The home shall have a separate quiet area for sick children.

c. The home shall have a minimum of two direct exits to the outside from the main floor.

(1) If the second level or the basement of the home is used for the provision of child care, other than the use of a restroom, each additional child-occupied floor shall have at least one direct exit to the outside in addition to one inside stairway.

(2) All exits shall terminate at grade level with permanent steps.

(3) A basement window may be used as an exit if the window can be opened from the inside without the use of tools and it provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor, with permanent steps inside leading up to the window.

(4) Occupancy above the second floor cannot be permitted for child care.

441—110.16(237A) Additional requirements for child development home category C with co-provider. In addition to the requirements in rule 441—110.8(237A), a provider requesting registration in child development home category C with a co-provider shall meet the following standards.

110.16(1) *Limits on number of children in care.*

a. No more than 14 children not attending kindergarten or a higher grade level shall be present at any one time.

b. Of these 14 children, no more than 6 children who are 24 months of age or younger shall be present at any one time. Whenever four children who are under the age of 12 months are in care, both providers shall be present.

c. In addition to the 14 children not in school, no more than 2 children who attend school can be present.

d. No more than 16 children shall be present at any one time when an emergency school closing is in effect.

e. If more than eight children are present, both providers shall be present.

110.16(2) *Provider qualifications.*

a. The provider shall be at least 21 years old.

b. The provider shall have a high school diploma, a GED, or documentation of current or previous enrollment in credit-based coursework from a postsecondary educational institution that is an accredited college or university.

c. The provider shall have either:

(1) Four years of experience as a registered or nonregistered child care provider or a child care center experience, or

(2) A child development associate credential or any two-year or four-year degree in a child care-related field and four years of experience as a registered or nonregistered child care home provider.

d. The co-provider shall meet the requirements of subrule 110.14(2).

e. No more than two named providers shall be allowed on a registration certificate.

110.16(3) *Facility requirements.*

a. The home shall have a minimum of 35 square feet of child-use floor space for each child in care indoors, and a minimum of 50 square feet per child in care outdoors.

b. The home shall have a separate quiet area for sick children.

c. The home shall have a minimum of two direct exits to the outside from the main floor.

(1) If the second level or the basement of the home is used for the provision of child care, other than the use of a restroom, each additional child-occupied floor shall have at least one direct exit to the outside in addition to one inside stairway.

(2) All exits shall terminate at grade level with permanent steps.

(3) A basement window may be used as an exit if the window can be opened from the inside without the use of tools and it provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor, with permanent steps inside leading up to the window.

(4) Occupancy above the second floor cannot be permitted for child care.

441—110.17(237A) Relative care exemptions. Relatives who are providing care for relative children as a nonregistered child care home are required to meet minimal health and safety standards as contained in the child care and development block grant under 45 CFR 98.41 as amended to August 1, 2026, and this chapter, with the following exemptions:

110.17(1) Facility requirements as set forth in subrule 110.8(1).

110.17(2) Emergency plans as set forth in subrule 110.8(4).

110.17(3) Children's files as set forth in subrule 110.9(4).

110.17(4) Required training as set forth in subrule 110.10(1).

441—110.18(237A) Registration actions for nonpayment of child support. The department will revoke or deny the issuance or renewal of a child development home registration upon the receipt of a certificate of noncompliance from child support services according to the procedures in Iowa Code chapter 252J. In addition to the procedures set forth in Iowa Code chapter 252J, the rules in this chapter apply.

110.18(1) *Service of notice.* The notice required by Iowa Code section 252J.8 will be served upon the applicant or registrant in writing. Alternatively, the applicant or registrant may accept notice personally or through authorized counsel.

110.18(2) *Effective date.* The effective date of the revocation or denial of the registration as specified in the notice required by Iowa Code section 252J.8 will be 60 days following service of the notice upon the applicant or licensee.

110.18(3) *Preparation of notice.* The department is authorized to prepare and serve the notice as required by Iowa Code section 252J.8.

110.18(4) *Responsibilities of registrants and applicants.* Registrants and registrant applicants shall keep the department informed of all court actions, and all child support services actions taken under or in connection with Iowa Code chapter 252J, and shall provide the department copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code section 252J.9, all court orders entered in the actions, and withdrawals of certificates of noncompliance by the child support services.

110.18(5) *District court.* A registrant or applicant may file an application with the district court within 30 days of service of a department notice pursuant to Iowa Code sections 252J.8 and 252J.9.

a. The filing of the application shall stay the department action until the department receives a court order lifting the stay, dismissing the action, or otherwise directing the department to proceed.

b. For purposes of determining the effective date of the revocation, or denial of the issuance or renewal of a registration, the department will count the number of days before the action was filed and the number of days after the action was disposed of by the court.

110.18(6) *Procedure for notification.* The department will notify the applicant or registrant in writing within ten days of the effective date of the revocation of a registration or the denial of the issuance or renewal of a registration and will similarly notify the applicant or registrant when the

registration is issued, renewed, or reinstated following the department's receipt of a withdrawal of the certificate of noncompliance.

110.18(7) *Appeal rights.* Notwithstanding Iowa Code section 17A.18, the registrant does not have the right to a hearing regarding this issue but may request a court hearing pursuant to Iowa Code section 252J.9.

441—110.19(237A) Prohibition from involvement with child care. If the department has prohibited a person or program from involvement with child care, that person or program cannot provide child care as a nonregistered child care home provider.

These rules are intended to implement Iowa Code section 234.6 and chapter 237A.

ARC 0541D

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rulemaking related to child care homes and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to rescind Chapter 120, "Child Care Homes," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 237A.12.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 237A.12.

Purpose and Summary

This chapter establishes procedures for child care homes that have a child care assistance provider agreement to receive child care assistance funds. Pursuant to Executive Order 10, this chapter underwent a Red Tape Review. During that analysis, it was determined that the content of Chapter 120 could be combined into a new 441—Chapter 110 (**ARC 0540D**, IAB 9/2/26) because there are many similarities between registered child development homes and child care homes with a child care provider agreement. As such, Chapter 120 is proposed to be rescinded.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 22, 2026. A public hearing was held on the following date(s):

- August 11, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 10 to 10:30 a.m.	Microsoft Teams Meeting ID: 299 521 373 675 206 Passcode: Dq6qm6ow
September 23, 2026 2 to 2:30 p.m.	Microsoft Teams Meeting ID: 224 976 926 352 184 Passcode: 7K59Sm3e

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearings and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **441—Chapter 120**.

ARC 0549D

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Proposing rulemaking related to electrical installations and providing an opportunity for public comment

The Department of Inspections, Appeals, and Licensing hereby proposes to amend Chapter 404, "Electrical Inspection Program," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 103.6.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 17A.7.

Purpose and Summary

This proposed rulemaking amends the rules promulgated by the Department to implement Iowa Code section 17A.7. This implements the adoption by the Electrical Examining Board of the minimum standards set forth in the most current publication of the National Electrical Code (NEC) issued and adopted by the National Fire Protection Association (NFPA). The cost analysis required by Iowa Code section 103.1C as enacted by 2026 Iowa Acts, House File 2800, is published herein, following this Notice.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Sheri Howard
Department of Inspections, Appeals, and Licensing
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: sheri.howard@dia.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 481—404.3(103) as follows:

481—404.3(103) Installation requirements. The provisions of the National Electrical Code, ~~2023~~ 2026 edition, published by the National Fire Protection Association, are incorporated herein by reference as the requirements for electrical installations performed by persons subject to licensing and inspection pursuant to Iowa Code chapter 103. ~~and rules promulgated thereunder, with the following amendments:~~

~~**404.3(1)** Delete article 210.8(A), "Dwelling Units," and insert in lieu thereof the following new section:~~

~~"210.8(A) Dwelling Units.~~

~~All 125-volt, 15- and 20-ampere receptacles installed in the following locations and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel:~~

~~(1) Bathrooms~~

~~(2) Garages and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use~~

~~(3) Outdoors~~

~~(4) Crawl spaces – at or below grade level~~

~~(5) Basements~~

~~(6) Kitchens~~

~~(7) Areas with sinks and permanent provisions for food preparation, beverage preparation, or cooking~~

~~(8) Sinks – where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink~~

~~(9) Boathouses~~

~~(10) Bathtubs or shower stalls – where receptacles are installed within 1.8 m (6 ft) of the outside edge of the bathtub or shower stall~~

~~(11) Laundry areas~~

~~(12) Indoor damp and wet locations."~~

~~**404.3(2)** Delete article 210.8(D), "Specific Appliances," and insert in lieu thereof the following new section:~~

~~"210.8(D) Specific Appliances.~~

~~GFCI protection shall be provided for the branch circuit or outlet supplying the following appliances rated 150 volts or less to ground and 60 amperes or less, single- or 3-phase:~~

~~(1) Automotive vacuum machines~~

~~(2) Drinking water coolers and bottle fill stations~~

~~(3) High-pressure spray washing machines~~

~~(4) Tire inflation machines~~

~~(5) Vending machines~~

~~(6) Sump pumps~~

~~(7) Dishwashers~~

~~(8) Microwave ovens."~~

~~**404.3(3)** Delete article 210.8(F), "Outdoor Outlets."~~

COST ANALYSIS FOR ADOPTION BY REFERENCE OF THE 2026 NATIONAL ELECTRICAL CODE (NEC)

2026 NEC Change	Expected Initial Cost Impact	Comments
Additional GFCI protection for appliances such as counter-top mounted cooking units, electric ranges, and clothes dryers	Low to Moderate	Primarily the cost of GFCI circuit breakers or receptacles depending on installation. ($100 per breaker, price varies between manufacture).
Outdoor HVAC GFCI protection	Low	Generally limited to one additional protective device. ($100 per breaker, price varies between manufacture).
Arc-flash warning labels	Moderate	Labels are generally inexpensive and often applied by the electrician on new equipment. Labor impact to calculate values could be moderate.
Reduced dwelling lighting load calculations	Potential Cost Savings	May allow smaller service or feeder sizes in some dwellings.
Revised optional feeder calculations	Potential Cost Savings	Can reduce conductor and equipment sizing in qualifying homes.
Combined emergency/service disconnect	Potential Cost Savings	Eliminates duplicate equipment and may reduce conductor lengths. ($240 disconnect price varies between manufacture).
EV charging load calculations	Potential Cost Savings	More accurately reflects installed equipment and may reduce oversizing.
Expanded copper-clad aluminum conductors	Potential Cost Savings	Lower material costs where permitted and appropriate.

Overall Economic Impact

While several provisions introduced in the 2026 National Electrical Code (NEC) will increase installation costs for certain projects, many of these costs are offset by revisions that reduce conductor sizing, equipment requirements, and installation labor in residential construction. The majority of the new requirements involve relatively low-cost safety enhancements, such as expanded ground-fault circuit-interrupter (GFCI) protection and arc-flash hazard labeling.

Several revisions in the 2026 NEC also provide greater design flexibility that may reduce installation costs. Updated dwelling unit load calculations, expanded use of copper-clad aluminum conductors, revised electric vehicle supply equipment (EVSE) load calculations, and the ability to combine the emergency disconnect with the service disconnect can reduce material costs and installation labor in many residential projects. Because every electrical installation is unique, it is not possible to assign a single statewide cost increase or decrease attributable to adoption of the 2026 NEC. Actual project costs will depend on factors including building size, occupancy classification, existing electrical infrastructure, equipment selection, labor rates, and local construction practices.

Overall, the net economic impact of adopting the 2026 NEC is expected to be modest. While certain installations will experience small increases in upfront construction costs due to enhanced safety requirements, other projects—particularly one- and two-family dwellings—may realize offsetting savings through revised load calculations and increased installation flexibility.

Potential Insurance and Liability Considerations

One potential consideration when deciding whether to adopt a newer edition of the National Electrical Code (NEC) is the possible effect on insurance coverage and premiums. Newer editions of the NEC incorporate advances in electrical safety technology designed to reduce the risk of electrical fires, equipment damage, and injuries, thereby enhancing protection for both property and human life.

There are concerns within the business community that choosing not to adopt the most current NEC could result in electrical installations that do not meet the latest national minimum wiring safety standards. As insurers continue to evaluate risk based on current safety practices and technologies, this could lead to increased insurance premiums, additional underwriting requirements, coverage limitations, or questions regarding liability in the event of a loss.

Conclusion

The review of the significant changes between the 2023 and 2026 National Electrical Code indicates that adoption of the 2026 NEC is not expected to produce a significant overall increase in construction costs. Although certain provisions—such as expanded GFCI protection and arc-flash hazard labeling—introduce modest additional costs, these are generally limited to specific equipment and represent a small percentage of the overall electrical installation.

Conversely, several revisions reduce installation costs by permitting smaller calculated electrical loads, expanding conductor options, simplifying service equipment configurations, and providing greater flexibility in residential electrical design. These changes have the potential to offset many of the additional costs associated with new safety requirements.

Research from a study completed by the University of Alabama entitled "Do Housing Prices Change with Building Codes?" examining historical housing costs has found little evidence that building code updates are a primary driver of housing affordability. Housing prices are influenced far more by factors such as land values, labor availability, financing costs, material markets, and supply and demand than by periodic updates to construction codes. Likewise, FEMA has documented that modern building codes substantially reduce losses from natural disasters, providing long-term economic benefits that extend well beyond the initial construction cost.

Based on this review, adoption of the 2026 National Electrical Code is expected to provide meaningful improvements in electrical safety, consistency with current industry standards, and long-term resilience while resulting in only modest impacts to construction costs. The overall public safety and economic benefits of adopting the updated code are expected to outweigh the limited increases in initial installation costs.

ARC 0543D

IOWA FINANCE AUTHORITY[265]

Notice of Intended Action

Proposing rulemaking related to military service member home ownership assistance program and providing an opportunity for public comment

The Iowa Finance Authority hereby proposes to amend Chapter 27, "Military Service Member Home Ownership Assistance Program," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 16.54 and 17A.4A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 16.5(1)"r" and 16.54.

Purpose and Summary

The Authority proposes to amend rule 265—27.2(16) to clarify existing policy regarding the definition of "eligible service member."

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 10, 2026. A public hearing was held on the following date(s):

- June 30, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Authority no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Reid Nennig
Iowa Finance Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50309
Email: reid.nennig@iowafinance.com

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule **265—27.2(16)**, definition of "Eligible service member," as follows:

"Eligible service member" means the same as defined in Iowa Code section 16.54. For the purposes of this definition, "active duty" means service, other than training, under Title 10 or Title 32 of the United States Code as in effect on [effective date of this rulemaking].

ARC 0542D

IOWA FINANCE AUTHORITY[265]

Notice of Intended Action

Proposing rulemaking related to disaster recovery housing assistance and providing an opportunity for public comment

The Iowa Finance Authority hereby proposes to rescind Chapter 29, "Disaster Recovery Housing Assistance," Iowa Administrative Code, and to adopt a new Chapter 29 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 16.5(1)"r," 16.57B and 16.57D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 16.57B and 16.57D.

Purpose and Summary

The Authority proposes to rescind Chapter 29 and adopt a new chapter in lieu thereof. The chapter describes the policies and procedures applicable to disaster recovery housing assistance administered by the Authority pursuant to Iowa Code chapter 16, subchapter VII, part 6. The program provides financial assistance for homeowners and renters whose primary residences are destroyed or damaged by a natural disaster.

The updated chapter incorporates updates to the program in 2025 Iowa Acts, Senate File 619, to clarify and streamline program administration and to make other clarifying changes.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 10, 2026. A public hearing was held on the following date(s):

- June 30, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Authority no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Lisa Connell
Iowa Finance Authority
1963 Bell Avenue, Suite 200

Des Moines, Iowa 50309
Email: lisa.connell@iowaeda.com

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 265—Chapter 29 and adopt the following **new** chapter in lieu thereof:

CHAPTER 29
DISASTER RECOVERY HOUSING ASSISTANCE

265—29.1(16) Definitions. For purposes of this chapter, unless the context otherwise requires:

"Authority" means the Iowa finance authority created in Iowa Code section 16.1A.

"Disaster-affected home" means the same as defined in Iowa Code section 16.57B.

"Eviction prevention partner" means a local program administrator.

"Financial assistance" means the same as defined in Iowa Code section 16.57B.

"Fund" means the disaster recovery housing assistance fund created in Iowa Code section 16.57B.

"Local program administrator" means the same as defined in Iowa Code section 16.57B.

"Nonprofit organization" means a nonprofit entity organized pursuant to Iowa law.

"Program" means the disaster recovery housing assistance program, except for where the term "program" is used in rule 265—29.8(16).

"Replacement housing" means the same as defined in Iowa Code section 16.57B.

"Retention agreement" means an agreement as described in subrule 29.5(6).

"Retention period" means a period of time during which a retention agreement will remain in place. The retention period will begin on the date of a loan closing or the date repairs are completed and will end five years after the beginning of the retention period.

"State of disaster emergency" means the same as described in Iowa Code section 29C.6(1).

265—29.2(16) Local program administrators.

29.2(1) *Additional qualified organizations.* In addition to the organizations identified in Iowa Code section 16.57B(1)*"d,"* nonprofit organizations or government entities that provide the following disaster recovery or housing stability services may serve as local program administrators:

a. Housing counseling;

b. Legal services related to eviction proceedings and maintaining housing stability; or

c. Housing navigation services.

29.2(2) *Agreements with local government administrators.* The authority may enter into agreements with local program administrators working in disaster-affected counties for the purpose of implementing the program at the local level.

29.2(3) *Review of requests for assistance.* Homeowners and renters will submit applications in the manner prescribed by the authority, including homeowners and renters who are referred by disaster case advocates as described in Iowa Code section 16.57B(4). Local program administrators or the authority

shall accept and review each application. The authority may award financial assistance after a local program administrator or the authority has determined the following:

a. Whether the applicant is eligible for assistance.

b. Whether the requested funds are being requested for a use permitted under the program, including verification that disaster-affected homes to be repaired or rehabilitated or replacement housing to be purchased with financial assistance are not located in a 100-year floodplain.

c. The amount of financial assistance to be awarded to the homeowner or renter.

29.2(4) *Administrative fees.* The authority may share all or a portion of the moneys reserved for its administrative costs pursuant to Iowa Code section 16.57B(2)*"c"* with local program administrators to reimburse their administrative costs. Interest credited to the fund pursuant to Iowa Code section 16.57B(2)*"a"*(2) may be used by the authority for additional unreimbursed administrative costs related to the program or administrative costs incurred by the Iowa economic development authority to assist in administering the program.

29.2(5) *Proceeds of repayments.* All loan amounts repaid to the authority by an eligible homeowner pursuant to this chapter shall be returned to the fund.

265—29.3(16) Eligibility.

29.3(1) *Eligible homeowners.* To be eligible for financial assistance under the program, all of the requirements identified in Iowa Code section 16.57B(5) shall apply. For the purposes of determining whether a disaster-affected home meets the requirement established in Iowa Code section 16.57B(5)*"a"* (1), only other state or federal disaster-related financial assistance that the homeowner receives for repair or rehabilitation of the disaster-affected home or for a replacement housing purchase will be considered.

29.3(2) *Eligible renters.* To be eligible for financial assistance under the program, all of the requirements in Iowa Code section 16.57B(6) shall apply. The following additional requirements shall also apply:

a. A renter must be a party to a written lease.

b. The landlord must not reside at the same address as the eligible renter.

29.3(3) *Registration.* If the disaster-affected home is located in a county declared a presidential disaster area eligible for individual assistance, the homeowner or renter must have registered with the Federal Emergency Management Agency (FEMA) and been awarded some form of FEMA housing assistance, which may include assistance for home repairs or temporary housing.

29.3(4) *Good standing.* A homeowner or renter must be in good standing with the department of revenue to be eligible for the program.

265—29.4(16) Eligible uses of funds.

29.4(1) *Homeowner assistance.* The authority may award financial assistance in an amount not to exceed $50,000 to an eligible homeowner for any of the purposes identified in Iowa Code section 16.57B(5)*"b."*

a. Repair or rehabilitation. A disaster-affected home for which a homeowner receives financial assistance must continue to be used as the eligible homeowner's primary residence throughout the retention period following the repair or rehabilitation.

b. Down payment assistance. The amount of down payment assistance that may be awarded to an eligible homeowner must not exceed 25 percent of the purchase price of the home being purchased plus any amount allowed for repairs, or $50,000, whichever is less.

(1) For purposes of calculating the amount of down payment assistance available to the eligible homeowner, the amount of the down payment assistance will be reduced by the amount of any disaster compensation received by the eligible homeowner in excess of any amount necessary to pay off a mortgage or real estate purchase contract on the disaster-affected home.

(2) As a condition of receiving down payment assistance, the eligible homeowner must agree that any disaster compensation received subsequent to receiving financial assistance, if not applied toward repayment of a mortgage on the disaster-affected home, shall be used by the eligible homeowner to pay

down the balance of any repayable financial assistance outstanding at the time the eligible homeowner receives such disaster compensation.

(3) An eligible homeowner shall not use the financial assistance allowed under this paragraph for the purchase of more than one home.

(4) Replacement housing must be used as the eligible homeowner's primary residence throughout the retention period.

29.4(2) *Rental assistance.* The authority may award financial assistance to an eligible renter for the payment of rent for replacement housing pursuant to the limitations set forth in subrule 29.6(1).

265—29.5(16) Loan terms. Loans or forgivable loans made under the program shall, at a minimum, contain the following terms.

29.5(1) *Five-year term.* The duration of the loan will be for a term of five years.

29.5(2) *Amount.* The maximum amount of a loan made under this program shall be $50,000.

29.5(3) *Interest.* Loans made pursuant to the program shall bear no interest.

29.5(4) *Forgivability.* Loans made pursuant to the program may be forgiven according to the terms of the retention agreement.

29.5(5) *Repayment due upon sale of home.* If a homeowner who has been awarded a loan or forgivable loan sells a disaster-affected home or replacement housing for which the homeowner received the loan or forgivable loan prior to the end of the loan term, the remaining principal on the loan or forgivable loan shall be due and payable upon the sale of the home.

29.5(6) *Retention agreement.* Each loan or forgivable loan made pursuant to this program shall be secured by a retention agreement that shall constitute a lien on the title of the real property for which the loan or forgivable loan is made until such time as the loan or forgivable loan has either been fully forgiven or paid in full. However, if an eligible homeowner receives a buyout of the disaster-affected home from the hazard mitigation grant program established in Iowa Code chapter 29C or any other funding source, the receipt of the buyout will not trigger a repayment of assistance received under subrule 29.4(1).

29.5(7) *General conditions of assistance.*

a. If an eligible homeowner receives other disaster compensation after financial assistance is awarded, the authority may require repayment of some or all of the financial assistance based on the amount of disaster compensation received and review for any duplication of benefits.

b. Any home to be purchased, repaired or rehabilitated using assistance under the program must be in compliance with all applicable state and local laws, rules and ordinances. To be eligible for assistance, the home must be in compliance as of the time of closing in the case of purchases, and as of the date of the final disbursement of financial assistance in the case of repair or rehabilitation.

265—29.6(16) Rental assistance terms. Rental assistance made under the program shall be subject to the following terms.

29.6(1) *Award calculation and maximum award.*

a. An eligible renter may be awarded up to six months of rental assistance.

b. An eligible renter may be awarded retroactive rental assistance.

c. An eligible renter may be awarded rental assistance to pay late fees provided that the late fees are permissible under Iowa Code chapter 562A or 562B.

d. Rental assistance will be calculated by first multiplying the monthly rent amount stated on the eligible renter's lease by the number of months for which assistance is needed, and then adding any eligible retroactive rental assistance and late fees.

e. The amount of monthly rental assistance used in calculating the award must not exceed the amount stated on the eligible renter's lease.

f. The maximum allowable rental assistance that may be awarded must not exceed the lesser of:

(1) The sum of the amount stated on the eligible renter's lease multiplied by six months, plus late fees; or

(2) $5,000.

29.6(2) *Priority of awards.* The local program administrator or the authority may prioritize awards of rental assistance to eligible renters earning 80 percent or less of the area median income for the county where the replacement housing is located.

29.6(3) *Disbursement.* The local program administrator or the authority will disburse rental assistance only after a complete application has been received, an award has been approved by the local program administrator or the authority, and all applicable conditions for disbursement have been met, including the submission of documentation pertaining to the eligible expenses. Disbursements will be paid directly to the eligible renter's landlord unless the authority determines that payment to the landlord is not feasible. If the authority determines it is not feasible to pay the eligible renter's landlord directly, the local program administrator authority may disburse payment directly to the eligible renter, subject to terms established by the authority.

265—29.7(16) Reporting. A local program administrator working with the authority to administer financial assistance will submit any information reasonably requested by the authority in sufficient detail to permit the authority to prepare any reports required by the authority, the general assembly or the governor's office.

265—29.8(16) Eviction prevention program.

29.8(1) *Rental assistance.*

a. To receive rental assistance through the eviction prevention program established in Iowa Code section 16.57C, eligible renters must meet all of the following criteria:

(1) A renter's household income must not exceed 80 percent of the area median income as published annually by the U.S. Department of Housing and Urban Development (HUD) for the county in which the rental unit is located.

(2) A renter must be a party to a written lease.

(3) The landlord must not reside at the same address as the eligible renter.

b. An eligible renter may receive rental assistance subject to the following limitations:

(1) An eligible renter may be awarded up to six months of rental assistance.

(2) An eligible renter may be awarded retroactive rental assistance.

(3) An eligible renter may be awarded rental assistance to pay late fees provided that the late fees are permissible under Iowa Code chapter 562A or 562B.

(4) Rental assistance will be calculated by first multiplying the monthly rent amount stated on the eligible renter's lease by the number of months for which assistance is needed and then adding any eligible retroactive rental assistance and late fees.

(5) The amount of monthly rental assistance used in calculating the award must not exceed the amount stated on the eligible renter's lease.

(6) The maximum allowable rental assistance that may be awarded must not exceed the lesser of the sum of the amount stated on the eligible renter's lease multiplied by six months plus late fees or $5,000.

c. A renter will apply for assistance under this rule in the form and manner required by the authority.

d. The eviction prevention partner or the authority will disburse rental assistance under this paragraph only after a complete application has been received, an award has been approved by the eviction prevention partner or the authority, and all applicable conditions for disbursement have been met, including the submission of documentation pertaining to the eligible expenses. Disbursements will be paid directly to the eligible renter's landlord unless the authority determines that payment to the landlord is not feasible. If the authority determines it is not feasible to pay the eligible renter's landlord directly, the eviction prevention partner or the authority may disburse payment directly to the eligible renter, subject to terms to be established by the authority.

29.8(2) *Eviction prevention partners.*

a. Financial assistance awarded to eviction prevention partners pursuant to this rule shall be used to pay for rent or housing stability services provided to eligible renters for the purpose of preventing the eviction of eligible renters.

b. The authority may enter into an agreement with one or more eviction prevention partners to administer the program. The authority will prepare an agreement for each award to an eviction prevention partner. The agreement will reflect the terms of the award and may include other terms and conditions reasonably necessary for implementation of the program pursuant to this rule.

c. An eviction prevention partner receiving an award under this rule shall submit any information reasonably requested by the authority in sufficient detail to permit the authority to prepare any reports required by the authority, the general assembly or the governor's office.

265—29.9(16) Financial assistance subject to availability of funding. All financial assistance awarded pursuant to this chapter shall be subject to funds being made available to the authority for the purpose of awarding financial assistance.

These rules are intended to implement Iowa Code chapter 16, subchapter VII, part 6.

ARC 0534D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to organization and administrative processes and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 1, "Organization and Administration," and to adopt a new Chapter 1, "Organization and Administrative Processes," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Chapter 1 describes the organization and administrative processes of the Academy Council, including the definitions for the remainder of the Council's administrative rules. This proposed chapter was reviewed as a part of the Red Tape Review required by Executive Order 10. The Council deleted redundant language and eliminated restrictive terms.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received. Rule 501—1.1(80B,80D) was updated to add a definition for "psychologically suitable" after discussion with a panel of psychologists who conduct psychological evaluations for law enforcement agencies. Rule 501—1.7(80B,80D) was updated to clarify that renewal time periods are tolled under the Uniformed Services Employment and Reemployment Rights Act.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
ORGANIZATION AND ADMINISTRATIVE PROCESSES

501—1.1(80B,80D) Definitions. As used in this chapter and 501—Chapters 2 through 6 and 8 through 10:

"Academy" means the Iowa law enforcement academy.

"Applicant" means an individual filing an application for consideration before the council.

"Area school" means a training school approved by the council that provides noncertifying courses for more than one law enforcement agency.

"Basic training course" means the initial training course completed by a jail administrator, jailer, temporary holding facility administrator, or public safety telecommunicator within the required time frame from the individual's date of hire.

"Break in service" means a gap in employment in the state of Iowa.

"Certification" means the license issued to a law enforcement officer or a reserve officer upon documentation that the officer is employed and has successfully completed the training requirements for the specific license.

"Code of professional conduct" means a set of ethical principles governing the conduct of all law enforcement officers and reserve officers.

"Conviction" means a conviction in any federal, military, tribal, state, county, municipal, or juvenile court; a voluntary forfeiture of bail, bond, or collateral deposited to secure a defendant's appearance in court as final disposition; the payment of a fine or civil penalty; a plea of guilty or nolo contendere; or a finding of guilt, even if the adjudication of guilty is deferred, withheld, not entered, sealed, or expunged; whether the plea or conviction is set aside or withdrawn, or the case or charge is dismissed or reduced where the setting aside, withdraw, dismissal, or reduction is based upon lenity or rehabilitation rather than upon a defect in the legality or factual basis of the plea, finding of guilt or conviction; and any conviction for which the person is pardoned.

"Core competency" means the effective and successful application of combined skills, knowledge, and behaviors in a given situation.

"Core concept" means an element of understanding through education or study that forms a foundation. Concepts are the building blocks for skills.

"Core skill" means a specific, trainable ability that is gained by applying concepts. Skills are the building blocks of competencies.

"Council" means the Iowa law enforcement academy council.

"Director" means the director of the Iowa law enforcement academy.

"Discipline" means the process of sanctioning a certification, license, endorsement, or waiver issued by the council.

"Employing agency" means any state, county, municipal, or tribal government or governmental body that employs an individual under the academy's statutory authority.

"Feasibility study" means a comprehensive assessment that determines the viability of a proposed regional training center identifying the technical, economic, operational, and logistical challenges to ensure the proposed regional training center will align with the council's mission. A feasibility study includes a preliminary analysis, market research, financial assessment, technical and organizational needs, and risk analysis.

"Jail" means any place administered by the county sheriff and designed to hold inmates for as long as lawfully required but not to exceed one year pursuant to Iowa Code chapters 356 and 356A.

"Jail administrator" means the sheriff, sheriff's designee, or the executive head of any agency operating a jail.

"Law enforcement practice" means experience gained by a certified law enforcement officer whose primary job function is the enforcement of criminal laws and the prevention and detection of crime.

"Local school" means a training school approved by the council that provides noncertifying courses for its own employees.

"Professional development" means relevant training that will maintain, improve, or expand skills and knowledge to satisfy annual training and certification requirements.

"Psychologically suitable" means possessing the psychological characteristics, emotional stability, judgment, impulse control, integrity, stress tolerance, interpersonal functioning, behavioral reliability, and decision-making capacity necessary to safely and effectively perform the essential duties and exercise the authority of a law enforcement or reserve officer.

"Qualified licensed provider" means a health care provider with the necessary education, training, and state-mandated license to perform professional services within the provider's scope of practice.

"Reciprocity" means a pathway to certification that includes certification through examination, military reciprocity, or federal reciprocity.

"Regional training center" means a training center approved by the council that provides courses for level I academies, level II academies, or reserve officers.

"Regional training center coordinator" means the individual who is responsible for overseeing, implementing, and assessing course curriculum and instruction standards at a council-approved regional training center.

"Revocation" means the process by which the council removes an individual's certification.

"Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service as defined by the federal Uniformed Services Employment and Reemployment Rights Act of 1994, as amended to [effective date of the rulemaking].

"Successfully complete" means to demonstrate the ability to perform all practical skills safely, effectively, and within the standards outlined by the academy.

"Temporary holding facility" means a temporary holding facility as defined in 201—Chapter 51.

"Weapon" means any firearm, striking instrument, conductive energy device, or chemical agent authorized for use as a weapon by the employing agency.

This rule is intended to implement Iowa Code sections 80B.3, 80B.11, 80B.13, 80D.7, and 321.52.

501—1.2(80B,80D) Purpose of council. The council administers and enforces the provisions of Iowa Code chapters 80B and 80D and 501—Chapters 1 through 10 and 2504 through 2506. The mission of the council is to protect the health, safety, and welfare of the public by certifying qualified individuals as law enforcement officers and reserve officers. Responsibilities of the council include but are not limited to:

1.2(1) Licensing and training. Licensing qualified law enforcement officers and reserve officers who successfully complete a pathway to certification and providing basic training programs for jailers and public safety telecommunicators.

1.2(2) Professional development. Developing and administering a program of annual professional development requirements to ensure the continued competency of individuals certified and trained by the council.

1.2(3) Discipline. Imposing discipline on law enforcement officers and reserve officers as provided by statute and rule.

This rule is intended to implement Iowa Code sections 80B.2, 80B.11, 80B.11A, 80B.11C, 80B.13, and 80D.4A.

501—1.3(80B) Council proceedings.

1.3(1) *Meetings.* The majority of the council's meetings will be held at the academy, Camp Dodge, 7105 NW 70th Avenue, Building A41, Johnston, Iowa.

a. The council will annually, at its regularly scheduled meeting in June, elect a chair and vice chair from its membership to begin serving upon election.

b. The council will approve annual meeting dates by at least June 30.

c. The council may schedule special meetings called by the chair, upon request to the chair by six members of the council, or upon request of the director.

d. To be placed on the agenda, completed materials will be received at least ten days prior to a scheduled council meeting. Materials from emergency or unusual circumstances may be added to the agenda with the chair's approval.

e. Persons in attendance at council meetings may be granted an opportunity to speak on an issue before the council at the discretion of the chair. The length and frequency of public comment will be at the discretion of the chair.

f. The council will govern its meetings in accordance with Iowa Code chapter 21 and its proceedings by Robert's Rules of Order, Revised.

1.3(2) *Quorum and majority vote.* A quorum will consist of two-thirds of the currently appointed voting members of the council. Action of the council must be approved by a simple majority of the voting members present.

1.3(3) *Authority.* The council has the authority to:

a. Establish committees of the council.

b. Establish fees.

c. Hold a closed session if the council votes to do so in a public roll-call vote with an affirmative vote of at least two-thirds if the total council is present or a unanimous vote if fewer are present. The council will keep minutes of all discussion, persons present, and actions occurring at a closed session. The records will be stored securely at the academy.

d. Investigate alleged violations of statutes or rules that relate to the practice of licensees upon receipt of a complaint or upon the council's own initiation.

e. Initiate and impose licensee discipline.

f. Monitor licensees that are restricted by council order.

g. Approve curriculum for certifying law enforcement and reserve officers and approve curriculum for basic training of jailers and public safety telecommunicators.

h. Approve the operational standards of the academy's certifying courses, local and area schools, and regional training centers.

i. Develop and implement annual professional development requirements to ensure the continued competency of individuals certified by the council.

j. Perform any other functions authorized by a provision of law.

This rule is intended to implement Iowa Code sections 80B.7 and 80B.9 and chapter 21.

501—1.4(80B) Information, submissions or requests. General inquiries regarding the council, and all submissions to or requests of the council, will be made through the Director, Iowa Law Enforcement Academy, P.O. Box 130, Johnston, Iowa 50131 or at ileacouncil@iowa.gov.

This rule is intended to implement Iowa Code section 80B.9.

501—1.5(80B) Exigent action required. In the event exigent action is required by the council, the director or academy legal counsel may poll individual council members concerning the needed action. The vote of each member will be recorded and the agreement of a majority of voting members will constitute official action by the council. The action will be confirmed at the next scheduled council meeting and the reason for the action reflected in the minutes.

This rule is intended to implement Iowa Code sections 80B.9 and 80B.13.

501—1.6(80B) Audit of professional development. The council may select officers, jailers, or public safety telecommunicators for audit of professional development on an annual basis.

1.6(1) *Audit.* If selected for audit, the individual will provide documentation for professional development within 30 days of notice. The documentation will contain a training overview, instructor name, length of training, training date and location, and any training scores achieved. An extension of time may be granted on an individual basis.

1.6(2) *Record retention.* Professional development documentation will be maintained for three full calendar years.

1.6(3) *Incomplete or unsatisfactory documentation.* If the submitted documentation is incomplete or unsatisfactory, the individual may submit make-up credit to cover the deficit. The deadline for make-up credit is 90 days from the date of notice of deficit.

1.6(4) *Deficit.* A deficit will result in an investigative referral.

This rule is intended to implement Iowa Code sections 80B.11, 80B.11A, 80B.11C, 80B.13, 80B.13A, and 80D.4A.

501—1.7(80B,80D) Time tolled. Time requirements for obtaining certification, completing required training, renewing endorsements, and completion of mandatory professional development are tolled during the period an individual is absent from employment because of service in the uniformed services.

This rule is intended to implement Iowa Code sections 80B.11, 80B.11A, 80B.11C, 80B.13, 80B.13A, and 80D.4A and 38 U.S.C. §4301 through 4335.

501—1.8(17A,80B,80D) Uniform rules. The Uniform Rules on Agency Procedure, 7—Chapters 2500 through 2506, are rules generally applicable to agencies pursuant to Iowa Code section 17A.24. Additions, exceptions, or amendments to the corresponding chapters are found in 501—paragraphs 2504.1(1)*"a"* through *"d,"* rules 501—2505.9(22,80B,80D) through 2505.12(22,80B,80D), and rule 501—2506.8(17A).

This rule is intended to implement Iowa Code section 17A.24.

ARC 0535D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to minimum standards for law enforcement and reserve officers and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 2, "Minimum Standards for Iowa Law Enforcement Officers," and to adopt a new Chapter 2, "Minimum Standards for Law Enforcement and Reserve Officers," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 2 consolidates prior 501—Chapter 10 and describes the minimum standards that all law enforcement officers and reserve officers must meet before serving in a law enforcement capacity, as well as the hiring standards for certified officers with a break in law enforcement service or a change in level of service. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

No public comments were received. After discussion with a panel of psychologists who perform psychological evaluations of law enforcement candidates, paragraph 2.2(3)"c" was updated to require a clinical interview and paragraph 2.2(3)"f" was updated to clarify that a hiring authority and not an applicant may request a second opinion on a psychological evaluation. After discussion with the panel of psychologists, paragraph 2.5(2)"b" was updated to clarify the evaluation is a psychological test.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 29, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 29, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/81460009795
September 29, 2026 1 to 1:30 p.m.	In person at: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/89108465173

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 2 and adopt the following **new** chapter in lieu thereof:

CHAPTER 2
MINIMUM STANDARDS FOR LAW ENFORCEMENT AND RESERVE OFFICERS

501—2.1(80B,80D) Minimum hiring standards for non-Iowa certified law enforcement and reserve applicants. All non-Iowa certified law enforcement and reserve applicants must meet the following minimum standards before serving in a law enforcement capacity or attending a certifying course:

2.1(1) Be a United States citizen.
2.1(2) Be 18 years of age.
2.1(3) Hold a valid driver's license.

2.1(4) Not be addicted to drugs or alcohol. An individual who has been convicted of a crime involving drugs or alcohol within two years or who has been charged more than once of operating a motor vehicle while intoxicated (OWI) does not meet this standard.

2.1(5) Be of good moral character as determined by the background investigation approved by the academy. A person is not of good moral character when:

a. Legally prohibited from possessing a firearm.

b. Convicted or adjudicated delinquent of:

(1) A sex offense or any offense that could result in placement on the sex offender registry; or

(2) Any offense in which a dangerous or offensive weapon was used in the commission.

c. Convicted of a serious misdemeanor, or higher, that caused physical or emotional harm to another.

d. Convicted of possessing with the intent to deliver or manufacture, delivering, or manufacturing a controlled substance.

e. Convicted of a crime involving dishonesty. This provision excludes convictions for:

(1) Purchasing or possessing alcohol or tobacco while underage; or

(2) Unlawfully possessing or controlling a driver's license or nonoperator ID card while under 21 years of age.

f. Charged with a felony regardless of disposition.

g. Engaged in any act of domestic violence or other domestic abuse, including other offenses or lesser included offenses stemming from domestic abuse.

h. Engaged in any act involving threats, harassment, or stalking of another person.

i. Placed on the child or dependent adult abuse registries.

2.1(6) Be free of personal conscience or belief that would oppose the use of reasonable force, including deadly force, when necessary for law enforcement duties.

2.1(7) Be eligible to secure a professional permit to possess a firearm.

2.1(8) Possess a high school diploma, general education development (GED), high school equivalency diploma (HSED), or a home school certificate of completion.

2.1(9) Have vision of, or corrected to, 20/20 and pass a color vision test without the aid of color corrective lenses as determined by a qualified licensed provider. As determined through testing, individuals with anomalous trichromatism or monochromasy color vision are not eligible to be hired as law enforcement officers.

2.1(10) Have normal hearing, or aided hearing that meets the hearing standard, in each ear as determined by a qualified licensed provider.

a. Normal hearing. Hearing is normal when, tested by an audiometer, hearing sensitivity thresholds are within 25 dB measured at 500 Hz, 1,000 Hz, 2,000 Hz and 3,000 Hz averaged together.

b. Aided hearing. An individual who fails to meet the hearing standard will have an evaluation by a qualified licensed provider to determine if the individual meets the hearing standard with the use of a prescribed hearing aid. The hearing standard is met if the individual demonstrates pure tone average of 25 dB hearing loss aided and is determined to have acceptable functional hearing.

2.1(11) Have not had any of the following occur:

a. A revocation or suspension of a certification or license;

b. Any action taken impacting a certification or license;

c. Denial of a path to certification or license; or

d. Dismissal from a basic training program due to a violation of the program handbook or an academic or skill failure.

2.1(12) Have not been charged with any criminal offense while certified or licensed as a law enforcement or reserve officer.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a"* and *"f"* and 80D.2.

501—2.2(80B,80D) Minimum standards of physical fitness, cognitive, and psychological testing for non-Iowa certified law enforcement and reserve applicants. All non-Iowa certified law enforcement

and reserve applicants must meet the following minimum testing standards before serving in a law enforcement capacity or attending a certifying course:

2.2(1) Physical fitness. Achieve a passing score on a physical fitness test approved by the council for certification.

2.2(2) Cognitive test.

a. Achieve a validated, passing score on a cognitive test approved by the council.

b. The cognitive test is administered by an approved academy proctor or by the academy consistent with the testing protocols detailed by the cognitive test.

c. A cognitive test score is valid for one year from the date of testing.

2.2(3) Psychological test.

a. Be determined to be psychologically suitable based on a psychological test approved by the council.

b. Tests will be ordered through the academy and the orders forwarded to an approved psychologist selected by the agency.

c. The psychologist will review the background investigation, the score report, and any prior evaluations and will complete a clinical interview.

d. The psychologist will return the clinic results form and evaluation directly to the academy.

e. A psychological test outcome specific to a position as a law enforcement or reserve officer stands for one year from the date of testing unless stated otherwise.

f. A hiring authority may request one second opinion from a psychological test. To be valid, the second opinion will be provided by an approved psychologist who has reviewed the background investigation, the score report, any prior evaluations, and the report from which the second opinion is requested.

This rule is intended to implement Iowa Code sections 80B.11(1)*"f"* and *"g"* and 80D.2.

501—2.3(80B,80D) Psychologist approval and test administration.

2.3(1) Approval process for psychologists.

a. A psychologist will submit the academy's application for approval providing evidence of all of the following:

(1) A valid Iowa license to practice psychology and at least five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including three full-time years of post-doctoral experience;

(2) Approval as a qualified user by the assessment source; and

(3) Competence to conduct pre-employment psychological screenings of officers consistent with the guidelines set forth in the police psychological services section of the international association of chiefs of police.

b. To maintain approval, a psychologist will complete at least eight hours of continuing education annually related to pre-employment officer psychological evaluations and provide verification to the academy upon request. Psychologists may choose from activities approved by the academy or traditional continuing education, with at least 40 percent of the hours completed through nontraditional continuing educational programming.

2.3(2) Test administration.

a. The academy will have prescheduled cognitive and psychological testing dates. Nonscheduled testing may also be provided.

b. Cognitive or psychological test results will be provided by the academy to a hiring authority upon request as long as the applicant is not the hiring authority.

2.3(3) Cost of tests. The academy will establish and post fee schedules for testing services.

2.3(4) Test integrity.

a. Any issues related to testing integrity must be immediately reported to the director.

b. Test integrity violations will result in the invalidation of scores, the revocation of proctor status, and the revocation of academy approval for test administration.

This rule is intended to implement Iowa Code sections 80B.11(1)*"f"* and *"g"* and 80D.2.

501—2.4(80B,80D) Status forms.

2.4(1) *Report of hire.* The academy will be provided with a fully completed report of hire once all requirements have been met. Upon receipt of the signed attestation, the hiring authority will be notified if the hire meets minimum hiring standards.

2.4(2) *Notice of election.* Consistent with Iowa Code chapter 80B and section 331.651(2)*"c,"* the academy will be provided with a fully completed notice of election prior to a sheriff taking office. Upon confirmation by the academy that minimum standards have been met, the sheriff will be notified that the sheriff's Iowa peace officer certification is approved for service.

2.4(3) *Separation.* The academy will be provided with the approved form within ten days of separation.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a," "f,"* and *"g"*; 80B.13A(4); 80D.2; and 331.651(2)*"c."*

501—2.5(80B,80D) Minimum hiring standards for an individual with an Iowa law enforcement or reserve certification. An individual with an Iowa law enforcement or reserve certification must meet the following minimum standards before using the individual's certification when moving to a new or additional law enforcement agency.

2.5(1) If the break from Iowa law enforcement service is 180 days or less, complete a timely report of hire attesting there has not been a break in service of more than 180 days.

2.5(2) If the break from Iowa law enforcement service is more than 180 days but less than one year:

a. Be of good moral character as determined by a background investigation approved by the academy; and

b. Complete a psychological test consistent with the protocols detailed in rule 501—2.2(80B,80D).

2.5(3) If the break from Iowa law enforcement service is between one and three years:

a. Complete the requirements of rule 501—2.1(80B,80D) and paragraph 2.5(2)*"b"*; and

b. Complete all required professional development training requirements of subrule 4.1(4).

2.5(4) If the break from Iowa law enforcement service is longer than three years:

a. Complete the requirements of subrule 2.5(3); and

b. Complete an in-person skills course at the academy within one year of hire.

2.5(5) A certified officer who left active Iowa law enforcement service to work at the academy will not be deemed to have a break in service if the individual complies with all annual professional development requirements beginning January 1, 2027, during the officer's employment at the academy.

This rule is intended to implement Iowa Code sections 80B.11(1)*"b," "f,"* and *"g"* and 80D.2.

501—2.6(80B) Minimum hiring standards for an Iowa-certified reserve officer applying to become a law enforcement officer. A certified reserve officer who has not previously met the requirements of rules 501—2.1(80B,80D) and 501—2.2(80B,80D) must meet the minimum requirements of both rules before serving as a law enforcement officer.

This rule is intended to implement Iowa Code section 80B.11(1)*"b," "f,"* and *"g."*

501—2.7(80B,80D) Officers in agencies under intergovernmental agreements. A jurisdiction entering into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services and officers does not need to verify minimum hiring standards for law enforcement personnel if an agreement is filed and recorded as required by Iowa law and a certified copy is provided to the director. Minimum hiring standards must be met when a unified law enforcement district is established as defined in Iowa Code section 28E.21.

This rule is intended to implement Iowa Code sections 80B.11(1)*"i"* and 80D.1(1).

501—2.8(80B,80D) Higher standards permitted. Although an individual may not serve in a law enforcement capacity without meeting these minimum standards, civil service commissions or agencies may establish additional standards.

This rule is intended to implement Iowa Code sections 80B.11(1)*"i"* and 80D.2.

ARC 0521D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to certification of law enforcement and reserve officers and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 3, "Certification of Law Enforcement Officers," and to adopt a new Chapter 3, "Certification of Law Enforcement and Reserve Officers," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 3 describes the certification standards and timelines for law enforcement officers and reserve officers, the various pathways to obtain certification and eligibility requirements for each, and the curriculum for each pathway. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

No public comments were received. Changes from the Regulatory Analysis are as follows:

- Subrule 3.1(3) was clarified to resolve an undefined term.
- Subrule 3.4(7) was revised to include life skills in the certification requirements.
- Rule 501—3.7(80B) was added to include qualifications for attendance at a level I academy. Subsequent rules were renumbered to ensure the order of the rules remained organized.
- Rule 501—3.8(80B) was revised to clarify the qualification for attendance at a level II academy.
- Subrules 3.16(1) and 3.16(2) were revised to allow for temporary weapon permits to be issued to reserve officers upon the completion of approved curriculum since reserve officers would otherwise be serving without access to authorized weapons while on duty prior to the completion of reserve officer training.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 29, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 29, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/81460009795
September 29, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/89108465173

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 3 and adopt the following **new** chapter in lieu thereof:

CHAPTER 3
CERTIFICATION OF LAW ENFORCEMENT AND RESERVE OFFICERS

501—3.1(80B,80D) Certification timeline for law enforcement and reserve officers.

3.1(1) *Certification.* All law enforcement and reserve officers must be certified through the successful completion of training through a certifying course in order to remain eligible for employment. Officers must be certified within one year of their initial employment.

a. A person elected or appointed sheriff must complete a basic training course as provided by Iowa Code section 331.651(2)*"c"* within one year of taking office.

b. A sheriff who does not complete the physical training requirements will be awarded a qualification for service in the county in which the sheriff was elected or appointed upon completion of the basic training course.

3.1(2) *Extension of time.* The council may, at its discretion, extend the one-year time period in which an officer must become certified for up to 180 days after a showing of undue hardship by the

officer or the officer's hiring or appointing authority. Extensions will not be liberally granted and will only be granted after a showing that all other alternatives to an extension have been considered and rejected.

3.1(3) *Automatic extension.* The one-year time period in which a law enforcement officer must become certified is automatically extended for 180 days for an officer who is enrolled in a level I or level II training course within 12 months of initial appointment. For purposes of this subrule, "enrolled" means physically present in and currently attending the certifying course.

3.1(4) *Time calculation.* The time period within which a person must obtain certification as a law enforcement or reserve officer begins on the day a person is first employed as a law enforcement officer or appointed as a reserve officer in the state of Iowa. Subsequent changes to employment status, including transfers to a different employing or appointing authority, will not toll or otherwise extend the certification period.

3.1(5) *Failure to obtain certification.* Should a person employed as a law enforcement or reserve officer fail to obtain certification within the time period or any extensions allowed, that person will not be eligible for employment as and will not serve as a law enforcement or reserve officer in the state of Iowa for a period of not less than 12 months. The period of ineligibility begins on the date the person last worked as a law enforcement officer or reserve officer.

This rule is intended to implement Iowa Code sections 80B.11(1)*"b,"* 80B.17, 80D.4, 80D.4A, and 331.651(2).

501—3.2(80D) State certification for reserve officers appointed prior to July 1, 2007. If a reserve officer appointed prior to July 1, 2007, with agency certification only transfers to another agency, the reserve officer will be considered a new reserve officer and subject to the 12-month training requirement and minimum hiring standards for state certification.

This rule is intended to implement Iowa Code section 80D.3(3)*"b."*

501—3.3(80B,80D) Minimum standards for certifying courses. The level I and level II academies will meet the requirements of nondegree programs under the federal veterans educational assistance Acts.

3.3(1) The standard certifying courses at an approved law enforcement training facility are:

a. Level I academy, consisting of at least 640 hours, with a minimum of 224 hours practical application including real world scenario-based training led by approved instructors or delivered through academy-approved online training modules; and

b. Level II academy, consisting of at least 440 hours, with a minimum of 154 hours practical application including real world scenario-based training led by approved instructors or delivered through academy-approved online training modules.

3.3(2) Alternative certifying courses at an approved law enforcement training facility consist of written assessments and skills proficiency led by approved instructors, including:

a. Certification through examination (out-of-state reciprocity);

b. Military or federal reciprocity; and

c. Reserve officer training.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a," "b," "d,"* and *"e"*; 80D.4A; and 80B.11B(4).

501—3.4(80B) Minimum standards for Iowa law enforcement certification upon completion of level I or level II academy. An individual will meet all of the following minimum standards to earn an Iowa law enforcement officer certification upon completion of a level I academy or a level II academy:

3.4(1) Successfully complete 100 percent of the course curriculum hours unless otherwise approved in advance by the director;

3.4(2) Attain an average of 70 percent or greater on academic examinations;

3.4(3) Successfully complete the firearms curriculum, including a qualifying score of not less than 80 percent on three of four handgun qualification courses of fire, the approved low-light handgun course of fire, the approved shotgun course of fire, and three of four rifle courses of fire;

3.4(4) Successfully complete the vehicle operations curriculum, including all courses and scenarios;

3.4(5) Successfully complete the defensive tactics curriculum, including all evaluations of techniques and scenarios;

3.4(6) Actively participate and progress in the physical training program and pass the physical training test at the required standard;

3.4(7) Actively participate in all practical skills and life skills applications; and

3.4(8) Successfully complete all evaluated assignments, scenarios, and exercises.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a," "b," "d,"* and *"e"* and 80B.13(3).

501—3.5(80B) Minimum standards for Iowa law enforcement certification upon completion of a reciprocity course. An individual will successfully complete the standards in rule 501—3.4(80B), excluding subrule 3.4(6) and pass the physical training test at the required standard, in order to earn an Iowa law enforcement officer certification upon completion of a reciprocity course.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a," "b," "d,"* and *"e"* and 80B.13(3).

501—3.6(80B,80D) Minimum standards for Iowa certification for reserve officers. An individual will successfully complete the standards in rule 501—3.4(80B), excluding subrules 3.4(3) and 3.4(6), to earn an Iowa reserve officer certification upon completion of the reserve officer course. Weapons certification(s) are issued consistent with rule 501—3.16(80D).

This rule is intended to implement Iowa Code sections 80B.13(3), 80D.3, 80D.4, and 80D.4A.

501—3.7(80B) Qualifications for attendance at level I academy. An individual meeting the requirements of Iowa Code section 80B.11E may apply for attendance at a level I academy. Approval may be granted when an individual provides confirmation of meeting all minimum standards and passes the physical fitness test approved by the council.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a"* and 80B.11E.

501—3.8(80B) Qualifications for attendance at level II academy. An individual may apply for attendance at a level II academy when the individual provides confirmation of meeting all minimum standards, passes the physical fitness test approved by the council, and meets one of the following.

3.8(1) *Police science or criminal justice degree.* The individual obtains at least 20 credit hours dedicated to police science or criminal justice coursework in which a grade no lower than C- is reflected on the submitted transcript from which a degree is awarded within three years of applying.

3.8(2) *Reciprocity application.* The individual is granted approval by the council after consideration of a reciprocity application under Iowa Code section 80B.11H(4).

This rule is intended to implement Iowa Code sections 80B.11(1)*"a,"* 80B.11D, and 80B.11H.

501—3.9(80B) Qualifications for out-of-state reciprocity. Law enforcement officers certified by another state may apply for out-of-state reciprocity or extended reciprocity. The council will consider evidence of meeting the requirements of Iowa Code section 80B.11F and information received by the council in granting approval of the application.

3.9(1) *Eligibility criteria.* The following minimum criteria will be met for the council to consider an applicant for certification through reciprocity:

a. Successful completion of a minimum 440-hour certifying basic law enforcement training course, for which certification has not been withdrawn or suspended by the certifying state.

b. One year of employment as a full-time certified law enforcement officer in the three-year period preceding the application.

3.9(2) *Application and testing periods.* Failure to apply for reciprocity prior to beginning employment in Iowa may result in the applicant being required to attend a standard certifying course.

3.9(3) *Extended reciprocity.* The council may authorize an individual meeting all reciprocity qualifications to complete an extended reciprocity course at the academy or an approved regional training center.

This rule is intended to implement Iowa Code section 80B.11F.

501—3.10(80B) Evaluation of applications for military or federal reciprocity. The council will evaluate an applicant's accredited police training by comparing training hours for each functional area of the academy's approved curriculum to those completed by the applicant via a training equivalency form. Course descriptions, lesson plans, curriculum overview, or any combination will be used to determine the equivalency comparison.

3.10(1) An applicant's failure to provide the necessary information for the council to determine equivalency for any training may result in credit being denied for that training.

3.10(2) An applicant approved for military or federal reciprocity will successfully complete the curriculum identified in rule 501—3.13(80B).

3.10(3) If an applicant is not approved for entry into the military or federal reciprocity program, or if requested by the applicant, the council will evaluate an applicant for entry into a level II academy based upon completed training and relevant experience to Iowa law enforcement practice.

This rule is intended to implement Iowa Code section 80B.11H.

501—3.11(80B) Training of a sponsored individual.

3.11(1) An individual not yet hired as an Iowa sworn officer will submit a complete application packet provided by the academy, with the established administrative fee, at least 30 days in advance of the start of the certifying course.

a. The fees to attend a standard certifying course at the academy will be collected as follows:

(1) 25 percent at the end of week one.

(2) 25 percent at the end of week two.

(3) 25 percent at the end of week three.

(4) The remaining fees are due by the end of the fourth week or the individual will be dismissed from the academy.

b. The fees to attend a certifying course at an approved law enforcement regional training center will be collected as determined by that entity.

3.11(2) Once employed by an Iowa law enforcement agency and having all minimum hiring requirements confirmed by the academy, the individual will complete firearms qualifications with their duty weapon at the academy.

3.11(3) Certification will be granted if, within 18 months of successful completion of the approved certifying course, the individual successfully completes the firearms qualification.

This rule is intended to implement Iowa Code sections 80B.11D and 80B.11E.

501—3.12(80B) Level I and level II curriculum. An academy-aligned training curriculum for a level I academy and level II academy will be initially approved by the director and confirmed by the council.

3.12(1) The curriculum will be derived from the academy's Iowa job task analysis not more than seven years old and includes:

a. Core concepts.

(1) American policing and community.

(2) Officer development and wellness.

(3) Investigative procedures.

(4) Legal knowledge and applications.

(5) Patrol procedures.

(6) Use of force.

b. Core skills.

(1) Communication and report writing.

(2) Life skills, including physical training, basic first aid, and interacting with people in crisis.

(3) Practical skills, including chemical spray, defensive tactics, firearms, vehicle operations, vehicle stops, and standardized field sobriety testing.

c. Core competencies.

(1) Critical thinking.

(2) Deliberation and decision making.

(3) Self-awareness and management.

(4) Observation and perception.

(5) Verbal influence and de-escalation.

3.12(2) Training will include course materials, written assignments, formative and summative assessments, and relevant performance tasks or practical exercises where recruits are assessed over a variety of criteria.

3.12(3) Changes to the council-approved curriculum or completion standards will be approved by the director and confirmed by the council.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a," "b," "d," "e"* and 80B.13(3).

501—3.13(80B) Reciprocity curriculum. An academy-aligned training curriculum for reciprocity will be initially approved by the director and confirmed by the council.

3.13(1) The curriculum will include:

a. Core concepts of legal knowledge and application.

b. Core skills to include firearms, standardized field sobriety testing, defensive tactics, vehicle operations, physical training, and basic first aid.

c. Core competencies from paragraph 3.12(1)*"c."*

3.13(2) Training will include course materials, formative and summative assessments, and relative performance tasks or practical exercises where officers are assessed over a variety of criteria at an in-person skills week at the academy.

3.13(3) Changes to the council-approved curriculum or completion standards will be approved by the director.

This rule is intended to implement Iowa Code sections 80B.11F(2), 80B.11H, and 80B.13(3).

501—3.14(80B,80D) Reserve officer curriculum.

3.14(1) An academy-aligned training curriculum for reserve officers will be initially approved by the director and confirmed by the council. The curriculum will include the following.

a. Core concepts from paragraph 3.12(1)*"a."*

b. Core skills from paragraph 3.12(1)*"b,"* excluding training for any identified weapons the reserve officer will not be certified to carry.

c. Core competencies from paragraph 3.12(1)*"c."*

3.14(2) Training will include course materials, written assignments, formative and summative assessments, and relative performance tasks or practical exercises where officers are assessed over a variety of criteria.

This rule is intended to implement Iowa Code sections 80B.13(3), 80D.3, 80D.4, 80D.4A, and 80D.7.

501—3.15(80B,80D) Special certification. In consideration of the varying factors and special requirements of law enforcement agencies, special certifying training courses may be initially developed and approved by the director and confirmed by the council.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a"* and *"b"*; 80B.13(1); 80B.13(3); 80B.13(5); 80D.4; and 80D.4A.

501—3.16(80B,80D) Weapons certification.

3.16(1) Weapons certification for reserve officers. Weapons training is not required for any weapons a reserve officer is not authorized to carry. The process to apply for a weapons certification from the council is as follows.

a. Application process. The reserve officer will submit a complete application for weapons certification to the council.

(1) The application will be on the approved form.

(2) The application will include confirmation that the applicant is of good moral character as defined in 501—subrule 2.1(5).

b. Temporary weapons certification. A temporary weapons certification may be granted upon completion of the approved curriculum taught by a qualified instructor for each authorized weapon. A qualified instructor will hold the correct practical skills endorsement or be an approved instructor for a third-party vendor when an endorsement is not offered by the council.

(1) The director may grant initial approval for a temporary weapons certification if the reserve officer meets the eligibility criteria, which will be confirmed by the council.

(2) The temporary weapons certification will expire on the earliest of the following dates:

1. The date the reserve officer successfully completes reserve officer training;

2. The deadline by which the reserve officer is required to complete reserve officer training including any council-approved extensions;

3. The end of the reserve officer's appointment; or

4. The council approves a permanent weapons certification.

c. Permanent weapons certification. A permanent weapons certification expires when a reserve officer ends their employment with the hiring authority and begins on the date:

(1) The reserve officer successfully completes reserve officer training and a reserve officer certification is issued; or

(2) The council confirms the weapons certification for a certified reserve officer.

3.16(2) Weapons certifications for law enforcement officers serving as reserve officers. Certified law enforcement officers may be certified to carry weapons as reserve officers without repeating the required weapons training. The process to apply for a weapons certification from the council is as follows.

a. Application process. The officer will submit a complete application for weapons certification on the approved form to the council.

(1) The application will include confirmation that the academy has approved the officer's report of hire as a reserve officer.

(2) The application will include confirmation that the officer has successfully completed the training curriculum for each weapon for which approval is requested.

(3) An officer seeking approval for firearms will also provide the following:

1. Confirmation that the officer has fired a qualifying score of 80 percent or higher on an academy-approved course of fire within the past 12 months that was conducted by another officer having a firearms instructor endorsement; and

2. Confirmation that firearms training was successfully completed under the officer's Iowa certifying course; and

3. Confirmation that the individual is serving as a law enforcement officer for another department at the time of appointment as a reserve officer, or served as a law enforcement officer within 12 months immediately preceding appointment as a reserve officer.

b. Temporary weapons certification. The director may grant initial approval for a temporary weapons certification if the law enforcement officer meets the eligibility criteria.

c. Final weapons certification. A final weapons certification will be issued upon confirmation by the council.

3.16(3) A certified reserve officer with a weapons certification transferring to a new law enforcement agency with a less than 180-day break in service will complete an application to carry weapons for the new agency and file the application with the academy within 30 days of the transfer. Failure to timely complete the weapons application will require weapons certification training and qualification.

3.16(4) A certified reserve officer with a break in service greater than 180 days will complete weapons certification training and provide confirmation as provided in paragraph 3.16(1)*"a."*

3.16(5) A reserve officer serving more than one Iowa law enforcement agency at the same time will be certified by the council to carry weapons for each agency in compliance with Iowa Code section 80D.7. The reserve officer need not complete weapons training for each agency, but all agencies will maintain duplicate training records for the reserve officer.

This rule is intended to implement Iowa Code sections 80B.13(3), 80D.3, 80D.4, 80D.4A, and 80D.7.

501—3.17(80B,80D) More extensive certifying course curricula not prohibited. Approved local and area schools and regional training centers may exceed the approved curriculum.

This rule is intended to implement Iowa Code sections 80B.11, 80B.11F, 80B.11H, 80D.4, and 80D.4A.

ARC 0522D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to professional development and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 4, "Instructor Certification Criteria for the Training of Peace Officers, Reserve Officers, Jailers and Public Safety Telecommunicators," and to adopt a new Chapter 4, "Professional Development," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 4 describes the professional development that all employed law enforcement officers and reserve officers must complete each year and the documentation requirements for their records. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised. The former content from this chapter is proposed to be reorganized in a revised 501—Chapter 5 in **ARC 0523D** herein.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received.

A change from the Regulatory Analysis has been made in paragraph 4.1(1)"b" to change "decision making" to "ethical decision making" to clarify that is the specific annual training required by the rule. Rule 501—4.2(80F) was also revised to clarify that the identified training is the initial training to be completed prior to conducting or supervising investigations.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 4 and adopt the following **new** chapter in lieu thereof:

CHAPTER 4
PROFESSIONAL DEVELOPMENT

501—4.1(80B,80D) Professional development requirements. The agency administrator will ensure compliance with professional development requirements for all agency officers. All employed law enforcement and reserve officers will comply with the following professional development requirements.

4.1(1) *Mandatory annual professional development and certification requirements.* Annual courses include:

a. Two firearms training sessions with passing qualifications, to include one daylight qualification and one low-light qualification, on the academy-approved courses of fire for issued or authorized duty weapon(s), both of which are conducted by another officer having a firearms instructor endorsement.

(1) Qualifications and any remediation will be conducted consistent with the academy course of fire guidelines.

(2) Handgun qualification on an academy-approved course of fire must be completed when an officer has a change of issued or authorized duty weapon prior to carrying the handgun while on duty.

(3) This subrule does not apply to reserve officers who are not authorized to carry a firearm.

b. Ethical decision making.

c. De-escalation/communication with people in crisis.

d. Mental health.

e. Hate crimes.

f. Human trafficking.

g. Officer resiliency and wellness.

4.1(2) *Mandatory annual general professional development.* A minimum of 12 additional hours of law enforcement-related professional development approved by the employing agency administrator.

4.1(3) *Mandatory additional professional development.*

a. Mandatory reporter core training curriculum for child and dependent adult abuse consistent with the time frames set forth in Iowa Code section 232.69(3)*"b."*

b. Cardiopulmonary resuscitation (CPR), automated external defibrillator (AED) and foreign body airway obstruction for all age groups consistent with nationally recognized standards.

c. Four hours of emergency vehicle operations, including three practical hours, every three years with an officer having a driving instructor endorsement consistent with Iowa Code section 321.231B.

4.1(4) *Professional development for officers with a break in service.* A certified officer with a break in service from Iowa law enforcement will complete the following professional development within one year of hire:

a. If the break in service is more than one year, all professional development outlined in subrules 4.1(1) and 4.1(2) and any additional professional development needed from subrule 4.1(3).

b. If the break in service is from one to three years, the professional development in paragraph 4.1(4)*"a"* and a minimum of 30 additional general professional development hours.

c. If the break in service is more than three years, the professional development in paragraph 4.1(4)*"a"* and a minimum of 60 additional general professional development hours, 40 hours of which will be the skills week from 501—paragraph 2.4(4)*"b."*

d. General professional development completed for a break in service will be related to the duties the officer is performing.

This rule is intended to implement Iowa Code sections 80B.11(1)*"b," "c,"* and *"d"*; 80B.11G; 80D.3; and 80D.4A.

501—4.2(80F) Professional development on interviewing/investigating an officer subject to a complaint. An individual who performs or supervises an investigation of an officer who is the subject of a complaint will receive a minimum of two hours of professional development on each of the following areas before performing or supervising an investigation:

1. The fundamentals of interviewing; and

2. Peace officer, public safety, and emergency personnel bill of rights; Garrity warning; and peace officer disciplinary hearing with applicable agency policy, conducted by a licensed attorney familiar with Iowa law.

This rule is intended to implement Iowa Code section 80F.1(21).

501—4.3(80B,80D) Instructors.

4.3(1) Unless otherwise indicated, professional development may be developed and instructed by any individual deemed qualified by the law enforcement agency administrator.

4.3(2) An instructor providing instruction for a law enforcement-related training area, as determined by the law enforcement agency administrator, may receive the credit for the professional development.

This rule is intended to implement Iowa Code sections 80B.11(1)*"c," "d,"* and *"e"*; 80D.3; and 80D.4A.

501—4.4(80B,80D) Recordkeeping. The law enforcement agency administrator will ensure that professional development and qualification records are regularly maintained and that the records are made available for inspection upon request of the council. Professional development records will include the following:

1. An overview of the training;
2. The name of the instructor who conducted the training;
3. The name of the individual who completed the training;
4. The length of the training;
5. The date and location where the training took place; and
6. The scores, if any, achieved by the officer to show proficiency in or understanding of the subject matter.

This rule is intended to implement Iowa Code sections 80B.11(1)*"b," "c,"* and *"k"* and 80D.4A.

ARC 0523D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to endorsements and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 5, "Approved Regional Law Enforcement Training Facility," and to adopt a new Chapter 5, "Endorsements," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 5 describes the practical skill endorsements, content endorsements, and other endorsements that the Academy Council will issue to eligible law enforcement officers, reserve officers, jail administrators, jailers, public safety telecommunicators, Academy staff instructors, and other professional partners who meet the qualifications for the endorsement. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised. The former content from this chapter is proposed to be reorganized in a revised 501—Chapter 8 in **ARC 0525D** herein.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received.

A change from the Regulatory Analysis has been made in subrule 5.16(1) to clarify that the description for good standing is only applicable to endorsements. Rules 501—5.11(80B,80D) and 501—5.15(80B,80D) were revised to resolve a misplaced phrase.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa 50131 Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa 50131 Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 5 and adopt the following **new** chapter in lieu thereof:

CHAPTER 5
ENDORSEMENTS

PRACTICAL SKILLS INSTRUCTOR ENDORSEMENTS

501—5.1(80B,80D) Practical skills instructor endorsements. All individuals providing practical instruction at the academy or through approved local and area schools and regional training centers will have the necessary practical instructor endorsement as determined by the director.

5.1(1) *Academy staff instructor endorsement.* Academy staff instructors are eligible for endorsements in the areas of instruction for which they are qualified.

5.1(2) *Practical skills instructor endorsement level I.* Certified Iowa law enforcement officers are eligible for specialty endorsements for firearms, rifle, standard field sobriety testing, driving, RADAR/LiDAR, and bicycle.

5.1(3) *Practical skills instructor endorsement level II.* Certified Iowa law enforcement officers, Iowa correctional officers, Iowa jailers, and Iowa jail administrators are eligible for endorsements for defensive tactics and chemical spray.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, and 80D.4A.

501—5.2(80B,80D) Minimum qualifications for practical skills instructor endorsements.

5.2(1) *Academy staff instructors.* Academy staff instructors will meet the minimum experience and training for each endorsement area except active employment by a law enforcement agency.

5.2(2) *Practical skills instructor endorsements level I.* Minimum experience and training includes:

a. Three years of experience as a certified law enforcement officer with specialized knowledge or skill in the subject area to be instructed;

b. Being actively employed in good standing by an Iowa law enforcement agency, the Iowa department of corrections, or a council-approved regional training center; and

c. Successful completion of the applicable endorsement training course, including instructor development.

5.2(3) *Practical skills instructor endorsements level II.* Minimum experience and training includes:

a. Three years of experience as a certified law enforcement officer or three years post-basic training course with specialized knowledge or skill in the subject area to be instructed;

b. Being actively employed in good standing by an Iowa law enforcement agency, the Iowa department of corrections, or a council-approved regional training center; and

c. Successful completion of the applicable endorsement training course, including instructor development.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, and 80D.4A.

501—5.3(80B,80D) Prerequisites for practical skills instructor endorsements. The following prerequisites will be met before enrollment in a practical skills instructor endorsement course.

5.3(1) *Firearms instructor endorsement.* A qualification score of at least 90 percent on an academy-approved course of fire in the last 12 months.

5.3(2) *Rifle instructor endorsement.* An endorsement as a firearms instructor that must be maintained to retain a rifle instructor endorsement and a qualification score of at least 90 percent on an academy-approved course of fire in the last 12 months.

5.3(3) *Defensive tactics instructor endorsement.* Iowa correctional officers, Iowa jailers, and Iowa jail administrators will provide documentation of 36 hours of training in defensive tactics from an active instructor with a defensive tactics instructor endorsement.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, and 80D.4A.

501—5.4(17A,80B,80D) Award of practical skills instructor endorsements.

5.4(1) *Awarding of endorsement.* Applicants meeting all minimum qualifications may register for a practical skills instructor endorsement training course. The practical skills instructor endorsement will be awarded upon the successful completion of the instructor endorsement course.

5.4(2) *Denial of endorsement.* If an applicant fails to earn a practical skills instructor endorsement after completion of the instructor endorsement course and any allowed remediation, the applicant may file a written notice of appeal to the council within 30 days of the denial as set forth in rule 7—2506.4(17A). A hearing will be held by the council within 90 days of the receipt of the appeal.

This rule is intended to implement Iowa Code sections 17A.12, 80B.11(1)*"k,"* 80B.11A, and 80D.4A.

501—5.5(80B,80D) Practical skills instructor endorsement period. All endorsements will be issued through the end of the third calendar year. An endorsement may be renewed if an applicant is actively employed by an Iowa law enforcement agency, the Iowa department of corrections, or a council-approved regional training center; remains in good standing; and successfully completes the applicable instructor renewal course prior to the expiration of the endorsement. Failure to renew prior to expiration will require an applicant to earn a new endorsement.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, and 80D.4A.

CONTENT INSTRUCTOR ENDORSEMENTS

501—5.6(80B,80D) Content instructor endorsements. Certified law enforcement officers, jailers, jail administrators, public safety telecommunicators, or other individuals providing instruction at the academy or through approved local or area schools, regional training centers, or a basic training course on subjects requiring a specialized academic degree, training, licensure, or experience will have the necessary instructor endorsement as determined by the director, subject to council approval.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and *"k,"* 80B.11A, and 80D.4A.

501—5.7(80B,80D) Minimum qualifications for content instructor endorsements. Minimum experience by profession includes successful completion of an instructor development course through the academy and the following:

5.7(1) Certified law enforcement officer. Three years of certified experience, aptitude or experience in the subject area to be instructed, and confirmation from the academy or a current license or training entity endorsement, if relevant.

5.7(2) Jail administrator or jailer. Three years of experience post completion of the basic training course, aptitude or experience in the subject area to be instructed, and confirmation from the academy or a current license or training entity endorsement, if relevant.

5.7(3) Public safety telecommunicator. Three years of experience post completion of the basic training course and aptitude or experience in the subject area to be instructed.

5.7(4) Professionals. Successful completion of relevant training or at least a baccalaureate degree in the subject area or a related field unless further education is required; confirmation by the academy of a current license or certification in the subject area; and appropriate reputation, conduct, stability and ability.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and *"k,"* 80B.11A, and 80D.4A.

501—5.8(80B,80D) Prerequisites for certain content instructor endorsements. The following prerequisites will be met before the award of a content instructor endorsement in the following subject areas:

5.8(1) Arson and bombing content instructor endorsement. Completion of a specialty school in police/military explosives handling and a recognized arson school.

5.8(2) Collision investigation content instructor endorsement. Completion of a two-week collision investigation school at the academy or an equivalent training approved by the academy.

5.8(3) Fingerprint content instructor endorsement. Completion of the basic and advanced Federal Bureau of Investigation fingerprint schools or an equivalent training approved by the academy.

5.8(4) Drug recognition content instructor endorsement. Identified as an instructor in the Iowa drug recognition experts and instructor directory.

5.8(5) Evidentiary breath testing device content instructor endorsement. Completion of a training program that results in trainer designation in the technology to be taught in the course.

5.8(6) Tactical medicine instructor endorsement. Completion of a course in tactical medicine approved by the academy or maintenance of a current emergency medical care provider or higher level of medical certification.

5.8(7) Less lethal instructor endorsement. Completion of a course approved by the academy in less lethal training.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and *"k,"* 80B.11A, and 80D.4A.

501—5.9(17A,80B,80D) Application for content instructor endorsement. Applicants seeking a content instructor endorsement(s) will submit an application to the council.

5.9(1) *Granting of endorsement.* Approval for a content instructor endorsement will be granted at the discretion of the council and evaluated on meeting minimum education, background, training, and experience.

5.9(2) *Denial of endorsement.* If the council denies an application for a content instructor endorsement, the applicant may file a written notice of appeal to the council within 30 days of the denial as set forth in rule 7—2506.4(17A). A hearing will be held by the council within 90 days of the receipt of the appeal.

This rule is intended to implement Iowa Code sections 17A.12, 80B.11(1)*"j"* and *"k,"* 80B.11A, and 80D.4A.

501—5.10(80B,80D) Content instructor endorsement period. All endorsements will be issued for a period of three years. An endorsement may be renewed if an applicant remains in good standing; completes a one-hour, in-person or online instructor development course; and submits a renewal application to the council. Failure to renew prior to expiration will require an applicant to earn a new endorsement.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and *"k,"* 80B.11A, and 80D.4A.

OTHER ENDORSEMENTS

501—5.11(80B,80D) Other endorsements. Other endorsements include the following.

5.11(1) *Salvage theft examiner endorsement.* The endorsement for certified Iowa law enforcement officers performing salvage theft examinations.

5.11(2) *H.R. 218 qualification endorsement.* The endorsement for federal law enforcement agents or officers performing H.R. 218 qualifications for retired qualified law enforcement officers.

5.11(3) *Law Enforcement Officers Safety Act (LEOSA)/H.R. 218 endorsement.* The endorsement for retired qualified law enforcement officers to carry concealed firearms.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

501—5.12(80B,80D) Minimum qualifications for other endorsements.

5.12(1) *Salvage theft examiner endorsement.* Minimum qualifications include certification as a law enforcement officer employed by an agency participating in the salvage vehicle theft examination program.

5.12(2) *H.R. 218 qualification endorsement.* Minimum qualifications include having an academy firearms instructor endorsement or active approval as a firearms instructor from a federal law enforcement agency or the federal law enforcement training center.

5.12(3) *LEOSA/H.R. 218 endorsement.* Minimum qualifications include a signed academy questionnaire and successful completion of the academy qualification course.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

501—5.13(80B,80D) Award of other endorsements.

5.13(1) *Salvage theft examiner endorsement.* Applicants meeting minimum qualifications for the endorsements may register for an approved salvage vehicle theft examination training course. The endorsement will be awarded upon the successful completion of the course.

5.13(2) *H.R. 218 qualification endorsement.* Applicants meeting the minimum qualifications will receive the endorsement upon confirmation by the academy.

5.13(3) *LEOSA/H.R. 218 endorsement.* Applicants meeting the minimum qualifications will receive the endorsement upon the presentation of an approved academy questionnaire and successful completion of the academy qualification course.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

501—5.14(17A,80B,80D) Denial of other endorsements. If an applicant fails to earn an endorsement for which they meet minimum qualifications and have successfully completed all requirements, the applicant may file a written notice of appeal to the council within 30 days of the denial as set forth in rule 7—2506.4(17A). A hearing will be held by the council within 90 days of the receipt of the appeal.

This rule is intended to implement Iowa Code sections 17A.12, 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

501—5.15(80B,80D) Other endorsement period.

5.15(1) *Salvage theft examiner endorsement.*

a. The endorsement will be issued for a period of three years.

b. An endorsement may be renewed if an applicant remains in good standing and successfully completes an approved four-hour salvage vehicle theft refresher course prior to expiration of the endorsement. Failure to renew prior to expiration will require an applicant to earn a new endorsement.

5.15(2) *H.R. 218 qualification endorsement.*

a. The endorsement will be issued for a corresponding time period as the active firearms instructor approval or a maximum period of three years.

b. An endorsement may be renewed if an applicant remains in good standing and submits documentation of active firearms instructor approval prior to expiration of the endorsement.

5.15(3) *LEOSA/H.R. 218.* The endorsement will be issued for a period of one year.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

ALL ENDORSEMENTS

501—5.16(17A,80B,80D) Revocation or suspension of any endorsement. Any endorsement may be revoked or suspended in writing at the discretion of the council or director, subject to subsequent council approval. The individual may file a written notice of appeal to the council within 30 days of the revocation or suspension as set forth in rule 7—2506.4(17A). A hearing will be held by the council within 90 days of the receipt of the appeal.

5.16(1) *Good standing.* Good standing determination is at the sole discretion of the council or director, subject to subsequent council approval. A person who has been dismissed for good cause from previous employment; who leaves, voluntarily quits, or whose position is eliminated when disciplinary action was imminent or pending that could have resulted in removal for good cause; who has had a probable cause finding in the disciplinary process; who has engaged in dishonorable conduct; or who has been disciplined for a concern involving the subject area of the endorsement is not considered to be in good standing for purposes of this chapter.

5.16(2) *Responsibility for areas of instruction and proper endorsement.* It is the personal responsibility of the instructor to ensure that the instructor is only providing instruction for topics that

the instructor is endorsed to instruct. Failure to adhere to this provision is a basis for revocation or suspension of instructor endorsements.

5.16(3) *Contested cases.* If the revocation or suspension of an endorsement relates to a contested case, the matters will be heard together.

This rule is intended to implement Iowa Code sections 17A.12, 80B.11(1)*"k,"* 80B.11A, 80D.4A, and 321.52(4)*"d."*

ARC 0537D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to code of professional conduct and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 6, "Decertification," and to adopt a new Chapter 6, "Code of Professional Conduct," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 6 describes the process for licensing investigations, the ethical standards for licensed law enforcement and reserve officers, and possible licensing sanctions for violations of those standards. As part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 29, 2026

No public comments were received. Rule 501—6.3(80B,80D) was updated to include reports for changes in contact information to enable the Academy Council to communicate with law enforcement and reserve officers during licensing investigations and for findings of officers' not being suitable for law enforcement employment. Rule 501—6.4(80B,80D) was also updated to remove reports by agency administrators for said findings. Subparagraph 6.7(2)"b"(7) was added to include civil rights violations and abuse of law enforcement powers.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 30, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/81112722748
September 30, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/84189752108

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 6 and adopt the following **new** chapter in lieu thereof:

CHAPTER 6
CODE OF PROFESSIONAL CONDUCT

501—6.1(80B,80D) Authority. The council has the authority to impose discipline for any violations of Iowa Code chapter 80B or the rules promulgated thereunder.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.2(80B,80D) Complaints. The council may, upon receipt of a notice of separation, upon receipt of a written or verbal complaint, or upon its own action, review and investigate alleged acts or omissions that may violate the council's rules or that are related to the professional conduct of a certified officer. In instances where it is unclear if there is a potential violation, the director has the authority to conduct a preliminary inquiry to determine the existence or nonexistence of potential violations.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.3(80B,80D) Officer reports to council. An officer will report any of the following to the council within 30 days of the occurrence:

6.3(1) A change in personal contact information where the officer can be contacted by the council;

6.3(2) Any disciplinary action taken by a certifying authority in another state or jurisdiction;

6.3(3) Any criminal conviction for a serious misdemeanor or above; or

6.3(4) Any finding that the officer is not suitable for law enforcement service.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.4(80B,80D) Agency administrator reports to council. An agency administrator report to the council will include the name and contact information of the involved officer and the date, time, and place of the incident. An agency administrator who has knowledge of the following will make a report to the council within ten days of the occurrence:

6.4(1) A rule violation subject to a mandatory revocation under subrule 6.7(1);

6.4(2) A finding that an officer is not fit for law enforcement service under paragraph 6.7(2)*"h"*; or

6.4(3) A determination that an officer is unable to practice with reasonable skill and safety by reason of mental or physical impairment under paragraph 6.7(2)*"h."*

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.5(80B,80D) Investigation of complaints or reports. The council's investigatory staff may request additional information, solicit a response from the officer, subpoena records, conduct interviews, gather evidence, and perform other investigatory duties to sufficiently conduct a licensing investigation.

6.5(1) *Confidentiality of investigative files.* Complaint, report, and investigative files in the possession of the council or its agents that relate to officer discipline are confidential under Iowa Code section 80B.13A(5).

6.5(2) *Council consideration.* The council will consider all investigations and may take any of the following actions.

a. Administrative closure. If a determination is made that the case is without merit, the council may close the case without further investigation.

b. Further inquiry. If a determination is made to order further inquiry, the council will return the investigation to the investigator with a statement specifying the information requested.

c. Finding of no probable cause. If a determination is made that the evidence does not substantiate a violation of the code of professional conduct, the council may find it does not have probable cause to proceed and close the case.

d. Accepting the case. If a determination is made that probable cause exists to conclude the code of professional conduct has been violated, the council may direct the academy's counsel to negotiate a combined statement of charges and settlement agreement or to file a statement of charges on behalf of the council. In determining whether to pursue formal discipline, the council may consider:

(1) Whether the alleged violation was an isolated incident;

(2) Whether the alleged violation was serious enough to warrant a hearing by the council;

(3) Whether there is sufficient evidence to support the complaint; or

(4) Whether adequate steps have been taken to remedy the violation and to ensure that incidents of a similar nature do not occur in the future.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.6(17A,80B,80D) Issuance of investigatory subpoenas.

6.6(1) *Issuance.* The director may issue investigatory subpoenas on behalf of the council, in accordance with the provisions of Iowa Code section 17A.13, for evidence that is necessary for the council to decide whether to initiate a contested case proceeding.

6.6(2) *Contents of subpoena.* Each subpoena will contain:

a. The name and address of the person to whom the subpoena is directed;

b. A description of the books, papers, records, or other real evidence requested;

c. The date, time, and location for production or inspection and copying;

d. The deadline for a motion to quash or modify the subpoena to be filed;

e. The signature, address, and telephone number of the director;

f. The date of issuance;

g. A return of service.

6.6(3) *Motion to quash or modify.* A person can challenge the subpoena by filing a motion to quash that describes the legal justification for the motion and includes a legal brief or factual affidavits within 14 days after service of the subpoena.

6.6(4) *Timely filing of motion.* Upon receipt of a timely filed motion to quash or modify a subpoena, the council will issue a decision. The council may quash or modify the subpoena, deny the motion, or issue an appropriate protective order.

6.6(5) *Judicial review.* If the person contesting the subpoena is not the person under investigation, the council's decision is final for purposes of judicial review. If the person contesting the subpoena is the person under investigation, the council's decision is not final for purposes of judicial review until either:

a. The person is notified that the investigation has been concluded with no formal action, or

b. There is a final decision in the contested case.

This rule is intended to implement Iowa Code sections 17A.13, 80B.11(1)*"h,"* 80B.13(9), 80B.13A, and 80D.4A.

501—6.7(80B,80D) Code of professional conduct.

6.7(1) *Mandatory revocation.* The council must revoke a law enforcement officer or reserve officer's certification for:

a. A conviction for a felony or an offense that would be a felony if committed in Iowa;

b. Manufacturing, selling, or conspiring to manufacture or sell an illegal drug other than as an authorized act in connection with official duties;

c. A conviction for a misdemeanor crime of domestic violence or other domestic abuse including other offenses or lesser included offenses stemming from domestic abuse;

d. A conviction for any offense classified as a tier I, tier II, or tier III sex offense in Iowa Code chapter 692A or an offense that would be classified as a sex offense subject to registry placement if committed in Iowa;

e. Being discharged for serious misconduct, as defined by Iowa Code section 80B.13A(1)*"b,"* from employment as a law enforcement officer or from appointment as a reserve officer;

f. Leaving, voluntarily quitting, or being laid off when a disciplinary investigation or action was imminent or pending that could have resulted in the law enforcement officer being discharged or the reserve officer being removed for serious misconduct;

g. A conviction for any offense under prior laws of this state or another jurisdiction that is comparable to an offense listed in paragraphs 6.7(1)*"a"* through *"d."*

6.7(2) *Discretionary revocation.* The council, at its discretion, may revoke or suspend a law enforcement officer or a reserve officer's certification for the following.

a. Fraud in procuring a certification. Fraud in procuring a certification is falsifying or omitting any material information to obtain certification.

b. Dishonorable conduct. Dishonorable conduct is conduct that lacks integrity, betrays public trust, and brings discredit to the profession whether committed on duty or off, in this state or elsewhere. Dishonorable conduct includes but is not limited to:

(1) Criminal conduct whether charged or not. A conviction for a crime is conclusive evidence of dishonorable conduct but is not required.

(2) Sexual misconduct while on duty.

(3) An inappropriate relationship, sexual or otherwise, with a person who the officer knows or should have known is a victim, defendant, or informant in an ongoing investigation or case.

(4) Unauthorized use or unlawful conversion of the employing agency's property, equipment, or funds.

(5) Intentional and unauthorized disclosure of confidential information or information that may compromise an official investigation.

(6) Harassment or intimidation.

(7) Civil rights violations or abuse of law enforcement powers.

c. Dishonesty. Dishonesty includes making an untrue, misleading, deceptive, or fraudulent verbal or written communication, whether in connection with official duties or not. Proof of actual injury does not need to be shown.

d. Under the influence on duty. Presenting for duty or being on duty while under the influence of, possessing, using, or consuming alcohol, illegal or unauthorized drugs, or abusing legal drugs other than in connection with official duties.

e. Employing agency recommendation. Receiving a recommendation that revocation or suspension of the law enforcement officer or reserve officer's certification would be appropriate from the officer's current or former employing agency. The recommendation will be in writing and will set forth the reasons why the action is being recommended, the findings of the employing agency concerning the matter, the action taken by the employing agency, and that the action by the agency is final.

f. Attorney general recommendation. Receiving a recommendation that revocation or suspension of the law enforcement officer or reserve officer's certification would be appropriate from the attorney general pursuant to Iowa Code section 13.12.

g. Discipline. Failing to notify the council within 30 days after a criminal conviction of a serious misdemeanor or above or a final decision entered by the licensing authority of another state, territory, or country which decision resulted in a certification revocation, suspension, or other disciplinary sanction even if such action was taken voluntarily.

h. Not suitable or fit for law enforcement. Being found not suitable or fit for law enforcement service on a psychological evaluation or the inability of an officer to practice with reasonable skill and safety by reason of mental or physical impairment.

i. Professional development compliance. Failing to comply with the requirements of 501—Chapter 4 relative to professional development.

j. Mandatory report. Failing to file a report with the council concerning the acts or omissions committed by another officer in violation of rule 501—6.4(80B,80D).

k. Council order. Failing to comply with a council order.

l. Child support obligations. Failing to comply with 501—Chapter 7 concerning child support obligations.

m. State or local debt. Failing to comply with 501—Chapter 7 concerning payment of debt to state or local governments.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, 80D.4A, 252J.8, 252J.9, 272D.8, and 252D.9.

501—6.8(80B,80D) Nondisciplinary relinquishment of certification. A certified law enforcement officer or reserve officer may voluntarily relinquish their certification when a complaint is not pending or likely to be forthcoming. In relinquishing a certification, the officer must waive the right to a hearing before the council and notify the council of the intent to relinquish the certification. The council may

issue an order accepting the nondisciplinary relinquishment. A nondisciplinary relinquishment is a permanent relinquishment of a certification.

This rule is intended to implement Iowa Code sections 80B.13 and 80D.4A.

501—6.9(17A,80B,80D) Settlement agreements.

6.9(1) *Combination agreements.* Upon a finding that probable cause exists to take public disciplinary action, the council and the officer may enter into a combined statement of charges and settlement agreement. Combination agreements are voluntary, and an officer is not entitled to be offered a combination agreement. A combination agreement will include a brief statement of the charges, the circumstances that led to the charges, and the terms of settlement. By electing to sign a combined agreement, the officer waives the right to a contested case hearing. A combined agreement is a public record under Iowa Code chapter 22.

6.9(2) *Contested case settlement.* Any contested case may be resolved by a settlement agreement prior to hearing.

6.9(3) *Settlement approval.* All settlements will be submitted to the council for approval. By signing the combination or settlement agreement, the officer authorizes the council's representative or the prosecuting attorney to have ex parte communications with the council related to the agreement.

6.9(4) *Disapproval of settlement.* If the council fails to approve a settlement, it will be of no force or effect to either party and will not be admissible at hearing. Upon rejecting a proposed agreement, the council may suggest alternative terms that the officer is free to accept or reject.

This rule is intended to implement Iowa Code sections 17A.10, 17A.17, 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

501—6.10(80B,80D) Reinstatement. A law enforcement officer or reserve officer whose certification has been suspended and wants to be reinstated must apply to the council for reinstatement once the terms and conditions of the order of suspension have been met. An officer whose certification has been revoked is not eligible for reinstatement.

6.10(1) All proceedings for reinstatement will be initiated by the law enforcement officer or reserve officer by filing an application for reinstatement with the council.

6.10(2) An application for reinstatement must allege facts that, if established, will be sufficient to enable the council to determine that the basis for the suspension of the officer's certification no longer exists and that it is in the public interest for the certification to be reinstated. The burden of proof to establish such facts will be on the officer.

6.10(3) An order denying or granting reinstatement that incorporates findings of fact and conclusions of law will be issued by the council. The council may grant reinstatement with or without conditions.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

ARC 0524D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to child support noncompliance and nonpayment of state and local debt and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 7, "Public Records and Fair Information Practices," and to adopt a new Chapter 7, "Child Support Noncompliance and Nonpayment of State and Local Debt," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 80B and 80D and section 17A.1.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 7 describes the process for revocation, suspension, or denial of a license for child support noncompliance or nonpayment of State and local debt as required by Iowa Code chapters 252J and 272D. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised. The former content from this chapter was revised and moved to 501—Chapter 2505.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 7 and adopt the following **new** chapter in lieu thereof:

CHAPTER 7
CHILD SUPPORT NONCOMPLIANCE AND NONPAYMENT OF STATE AND LOCAL DEBT

501—7.1(252J,272D) Definitions. For the purposes of this chapter, the following definitions apply:

"Certification" means a license as defined in Iowa Code sections 252J.1 and 272D.1.

"Officer" means a law enforcement officer or reserve officer.

This rule is intended to implement Iowa Code sections 252D.9, 252J.8, 252J.9, and 272D.8.

CHILD SUPPORT NONCOMPLIANCE

501—7.2(252J) Definition. For the purposes of this division, the following definition applies:

"Certificate of noncompliance" means the same as defined in Iowa Code section 252J.1.

This rule is intended to implement Iowa Code sections 252J.8 and 252J.9.

501—7.3(252J) Child support certificates of noncompliance. The council will revoke, suspend, or deny the issuance of an officer's certification upon the receipt of a certificate of noncompliance from the child support recovery unit consistent with Iowa Code chapter 252J. In addition to the procedures set forth in Iowa Code chapter 252J, the rules in this chapter apply.

7.3(1) Notice required by Iowa Code section 252J.8 will be served upon the officer by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rule of Civil Procedure 1.305; or the acceptance of service by the officer personally or through authorized counsel.

7.3(2) The effective date of the revocation, suspension, or denial is 60 days following service of the notice upon the officer.

7.3(3) The director is authorized to prepare and serve the notice required by Iowa Code section 252J.8 upon the officer.

7.3(4) Officers are responsible for keeping the council informed of all court actions and all child support recovery unit actions taken under or in connection with Iowa Code chapter 252J, including providing the council copies, within seven days of filing or issuance, of applications filed with the district court pursuant to Iowa Code section 252J.9, court orders entered in such actions, and withdrawals of certificates of noncompliance by the child support recovery unit.

7.3(5) All council fees for applications or certification training must be paid by the officer before an officer's certification will be issued or reinstated after the council has denied the issuance or reinstatement of a certification pursuant to Iowa Code chapter 252J.

7.3(6) An officer may file an application with the district court within 30 days of service of a council notice pursuant to Iowa Code sections 252J.8 and 252J.9. The filing of the application stays the council's action until the council receives a court order lifting the stay, dismissing the action, or otherwise directing the council to proceed. For purposes of determining the effective date of the

revocation, suspension, or denial, the council will count the number of days before the action was filed and the number of days after the action was disposed of by the court.

7.3(7) The council will notify the officer in writing within ten days of the effective date of the revocation, suspension, or denial of a certification, and will similarly notify the officer when the certification is issued or reinstated following the council's receipt of a withdrawal of the certificate of noncompliance.

This rule is intended to implement Iowa Code sections 252J.8 and 252J.9.

NONPAYMENT OF STATE OR LOCAL DEBT

501—7.4(272D) Definition. For the purposes of this division, the following definition applies:

"Certificate of noncompliance" means the same as defined in Iowa Code section 272D.1.

This rule is intended to implement Iowa Code sections 252D.9 and 272D.8.

501—7.5(272D) State or local debt certificates of noncompliance. The council will revoke, suspend, or deny the issuance of an officer's certification upon the receipt of a certificate of noncompliance from the centralized collection unit of the department of revenue consistent with Iowa Code chapter 272D. In addition to the procedures set forth in Iowa Code chapter 272D, the rules in this chapter apply.

7.5(1) Notice required by Iowa Code section 272D.8 will be served upon the officer by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rule of Civil Procedure 1.305; or the acceptance of service by the officer personally or through authorized counsel.

7.5(2) The effective date of the revocation, suspension, or denial is 60 days following service of the notice upon the officer.

7.5(3) The director is authorized to prepare and serve the notice required by Iowa Code section 272D.8 upon the officer.

7.5(4) Officers are responsible for keeping the council informed of all court actions and all actions of the department of revenue taken under or in connection with Iowa Code chapter 272D, including providing the council copies, within seven days of filing or issuance, of applications filed with the district court pursuant to Iowa Code section 272D.9, court orders entered in such actions, and withdrawals of certificates of noncompliance by the centralized collection unit.

7.5(5) All council fees for applications or certification training must be paid by the officer before an officer's certification will be issued or reinstated after the council has denied the issuance or reinstatement of a certification pursuant to Iowa Code chapter 272D.

7.5(6) An officer may file an application with the district court within 30 days of service of a council notice pursuant to Iowa Code sections 272D.8 and 272D.9. The filing of the application stays the council's action until the council receives a court order lifting the stay, dismissing the action, or otherwise directing the council to proceed. For purposes of determining the effective date of the revocation, suspension, or denial, the council will count the number of days before the action was filed and the number of days after the action was disposed of by the court.

7.5(7) The council will notify the officer in writing within ten days of the effective date of the revocation, suspension, or denial of a certification, and will similarly notify the officer when the certification is issued or reinstated following the council's receipt of a withdrawal of the certificate of noncompliance.

This rule is intended to implement Iowa Code sections 252D.9 and 272D.8.

ARC 0525D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to local schools, area schools, and regional training centers and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 8, "Mandatory In-Service and Specialty Training Requirements," and to adopt a new Chapter 8, "Local Schools, Area Schools, and Regional Training Centers," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 80D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 80D.

Purpose and Summary

Proposed Chapter 8 replaces prior content that is proposed to be reorganized in 501—Chapter 4 in **ARC 0522D** herein and describes the general provisions, application processes, and responsibilities for local schools, area schools, and regional training centers. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 29, 2026

No public comments were received. Subrule 8.7(3) was amended to replace an undefined term.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 30, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/81112722748

September 30, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/84189752108

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 8 and adopt the following **new** chapter in lieu thereof:

CHAPTER 8
LOCAL SCHOOLS, AREA SCHOOLS, AND REGIONAL TRAINING CENTERS

501—8.1(80B,80D) General provisions.

8.1(1) *General standards.* All aspects of the local school, area school, or regional training center will be in compliance with these rules before any request from a school or regional training center is eligible for consideration.

8.1(2) *Course approval.* Each scheduled course will be approved by the council prior to the start of instruction.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a"* and *"k,"* 80B.13(1), 80B.13(5), and 80D.4A.

501—8.2(17A,80B) Application for approval of local school for jailers.

8.2(1) *Application.* Applications for a local school for jailers will be accepted when a fully completed application is submitted to the council on the approved form.

8.2(2) *Evaluation considerations.* The council will consider standardization of training, academic qualifications (including but not limited to training schedule, curriculum, structure, instructor credentials, and experience), facilities and equipment, and any other relevant factors.

8.2(3) *Denial.* The council will issue a written decision if the application for the local school for jailers is denied within 90 days of receipt of the application.

8.2(4) *Appeal.* If the council denies an application for a local school for jailers, a written appeal may be filed according to rule 7—2506.28(17A) or Iowa Code section 17A.19.

This rule is intended to implement Iowa Code sections 17A.19, 80B.11(1)*"k,"* 80B.11A, 80B.13(1), and 80B.13(5).

501—8.3(17A,80B) Application for approval of area school for jailers.

8.3(1) *Application.* Applications for an area school for jailers will be accepted when a fully completed application is submitted to the council on the approved form.

8.3(2) *On-site inspection.* An inspection of a proposed area school may be conducted by designated members of the council, with or without advance notice to the school. Any visit will include inspection of facilities, equipment, training procedures, instructional materials, and program materials and discussion of the proposed training philosophy with key personnel.

8.3(3) *Informal hearing.* An application for an area school will be heard by the council within 90 days of the facility inspection or receipt of the complete application, whichever is later. The provisions in Iowa Code chapter 17A concerning contested cases are not applicable to the informal hearing on the application.

8.3(4) *Evaluation considerations.* The council will consider the organization of the area school, standardization of training, academic qualifications (including but not limited to training schedule, curriculum, structure, instructor credentials, and experience), facilities and equipment, and any other relevant factors.

8.3(5) *Written decision.* The council will issue a written decision approving or denying the application for an area school for jailers within 90 days of the informal hearing.

8.3(6) *Appeal.* A denial may be appealed under Iowa Code section 17A.19.

This rule is intended to implement Iowa Code sections 17A.19, 80B.11(1)*"k,"* 80B.11A, 80B.13(1), and 80B.13(5).

501—8.4(80B) Responsibilities of local and area schools for jailers after approval.

8.4(1) *Certificate of completion.* Documentation of completed hours and scores for all attendees will be submitted to the academy within five days of the award of certificates of completion.

8.4(2) *Facility visits.* Facility visits may be conducted at a local or area school by council designees, with or without advance notice to the school. Visits will include inspections of facilities, equipment, training procedures, instructional materials, and program materials and discussion of training philosophy with key personnel. Findings will be reported to the council.

8.4(3) *Notice of deficiency.* The council will issue a notice of deficiency to a local or area school for any documented area of deficiency and request a plan for correction of the deficiencies. Failure to correct noted deficiencies according to a plan approved by the council may impact eligibility for consideration of future applications.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k,"* 80B.11A, 80B.13(1), and 80B.13(5).

501—8.5(17A,80B,80D) Preliminary application for approval of new regional training center.

8.5(1) *Preliminary application.* Preliminary applications for approval of a new regional training center will be accepted when a fully completed preliminary application is submitted to the council on the approved form. The preliminary application will include a feasibility study that demonstrates the proposed regional training center's potential for success, the need for a new center, and that its implementation will not create an operational burden for academy staff.

8.5(2) *Preliminary application hearing.* An informal hearing will be heard by the council within 60 days of the receipt of the fully completed preliminary application. The provisions of Iowa Code chapter 17A concerning contested cases are not applicable to the informal hearing on the preliminary application.

8.5(3) *Evaluation considerations.* The council will consider anticipated annual and five-year enrollment for the program, collaboration the center has with law enforcement agencies, any special need for the center in the state, information regarding program saturation, and any other relevant factors. The council will also consider a regional training center's willingness to coordinate with the academy and the impact a new center would have on the academy's resources.

8.5(4) *Denial.* The council will issue a written decision if the preliminary application for the new regional training center is denied within 90 days of an informal hearing.

8.5(5) *Appeal.* A denial may be appealed under Iowa Code section 17A.19.

This rule is intended to implement Iowa Code sections 17A.19, 80B.11(1)*"a"* and *"k,"* 80B.13(1), 80B.13(2), 80B.13(5), and 80D.4A.

501—8.6(17A,80B,80D) Application for approval of regional training center.

8.6(1) *Application.* Upon approval of a preliminary application or at the time for renewal of regional training center approval, an application will be accepted when a fully completed application

is submitted to council on the approved form. As of [the effective date of this rule], existing regional training centers will submit renewal applications on a schedule approved by the council.

8.6(2) *On-site inspection.* An inspection of a proposed regional training center may be conducted by designated members of the council, with or without advance notice to the facility. The inspection will be conducted within 45 days of the council meeting following receipt of the application. The visit will include inspection of facilities, equipment, training procedures, instructional materials, and program materials and discussion of the proposed training philosophy with key personnel.

8.6(3) *Informal hearing.* An application for approval or renewal of a regional training center will be heard by the council within 90 days of the facility inspection or receipt of the complete application, whichever is later. The provisions in Iowa Code chapter 17A concerning contested cases are not applicable to the informal hearing on the application.

8.6(4) *Evaluation considerations.* The council will consider standardization of training, impact on existing training programs, academic qualifications (including but not limited to training schedule, curriculum, structure, handbooks, director/coordinator credentials and experience, and instructor credentials and experience), facilities and equipment, the on-site inspection report, financial qualifications, and any other relevant factors. The council will also consider a regional training center's willingness to coordinate with the academy and will provide the director evidence of ongoing progress and successful completion for each recruit enrolled in the course on the academy's approved form.

8.6(5) *Written decision.* The council will issue a written decision approving or denying approval of the regional training center within 90 days of the informal hearing.

8.6(6) *Approval.* Initial and subsequent regional training center approvals are valid for five years.

8.6(7) *Appeal.* A denial may be appealed under Iowa Code section 17A.19.

This rule is intended to implement Iowa Code sections 17A.19, 80B.11(1)*"a"* and *"k,"* 80B.13(1), 80B.13(2), 80B.13(5), and 80D.4A.

501—8.7(80B,80D) Responsibilities of regional training centers after approval.

8.7(1) *Curriculum approval.* Regional training facilities will submit a curriculum application for council approval prior to each specific course.

8.7(2) *Attendee approval.* The academy approves eligibility for attendance at regional training centers.

8.7(3) *Physical readiness entrance test.* A physical readiness entrance test will be conducted within 30 days prior to the start of a level I or level II training course.

8.7(4) *Final roster.* A roster will be submitted to the academy five days prior to the physical readiness entrance test for the training course to determine the final roster.

8.7(5) *Recruit progress.* Regional training centers will provide access to specific ongoing progress data and metrics of attendees to the academy through a designated platform.

8.7(6) *Award of certification or certificate of completion.* Documentation of completed hours and scores for all attendees will be submitted to the academy for approval prior to the award of law enforcement certifications or certificates of completion.

8.7(7) *Coordinator visits.*

a. Regional training center coordinators will visit the academy for one training day annually to observe training that includes at least two of the following:

(1) Instruction,

(2) Scenarios,

(3) Performance tasks, or

(4) Practical skills.

b. Coordinators will complete a training analysis form that will be shared with the council, the academy, and administrators for the regional training center.

8.7(8) *Annual meeting with council curriculum committee.* Regional training center coordinators will attend an annual meeting with the council's curriculum committee and the academy to ensure curriculum alignment.

8.7(9) *Facility visits.* At a minimum, annual facility visits will be conducted at each regional facility by designated members of the council, with or without advance notice to the facility. Visits will include inspections of facilities, equipment, training procedures, instructional materials, and program materials and discussion of training philosophy with key personnel. Findings will be reported to the council.

8.7(10) *Notice of concern.* The council will issue a notice of concern to a regional training center for any documented area of concern and request a plan for correction. Failure to correct noted concerns according to a plan approved by the council may result in the issuance of a notice of intent to revoke approval.

This rule is intended to implement Iowa Code sections 80B.11(1)*"a"* and *"k,"* 80B.11D, 80B.11E, 80B.11H, 80B.13(1), 80B.13(2), 80B.13(5), and 80D.4A.

501—8.8(17A,80B,80D) Revocation of approval.

8.8(1) *Notice of intent to revoke.* The council may issue a notice of intent to revoke approval when it determines a regional training center is deficient.

8.8(2) *Notice of appeal.* The regional training center may file a written notice of appeal to the council within 30 days of notification of the action. The appeal notice should be addressed consistent with the procedures set forth in rule 7—2506.4(17A).

8.8(3) *Hearing procedures.* A contested case proceeding will be held before the council consistent with the procedures set forth in 7—Chapter 2506 and rule 501—2506.8(80B,80D).

8.8(4) *Written decision.* The council will issue a written decision within 90 days of the contested case hearing.

8.8(5) *Appeal.* A revocation of approval of a regional training center may be appealed under Iowa Code section 17A.19.

This rule is intended to implement Iowa Code sections 17A.12, 17A.19, 80B.11(1)*"a"* and *"k,"* 80B.13(1), 80B.13(2), 80B.13(5), and 80D.4A.

ARC 0536D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to jailer standards and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 9, "Jailer Training," and to adopt a new Chapter 9, "Jailer Standards," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 80B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 80B.

Purpose and Summary

Proposed Chapter 9 describes the minimum hiring and training standards and required professional development for jailers and temporary holding facility personnel. As part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

No public comments were received. Paragraph 9.1(1)"f" was updated to clarify the psychological evaluation standard. Rule 501—9.2(80B) and subrule 9.5(2) were revised because courses in cardiopulmonary resuscitation (CPR), automated external defibrillator (AED), and first aid have historically been instructed at the local jail facilities to ensure adequate time is available during the 40-hour basic course for other instruction. Subrule 9.2(4) was added to note that required training must be completed within the required time frame to maintain eligibility for employment.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/88065268126
September 23, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/89984161724

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 9 and adopt the following **new** chapter in lieu thereof:

CHAPTER 9
JAILER STANDARDS

501—9.1(80B) Minimum standards for jail and temporary holding facility personnel.

9.1(1) *Minimum hiring standards.* Applicants must meet the following minimum standards before serving as a jail administrator, jailer, or temporary holding facility personnel:

a. Be 18 years of age or older.

b. Be able to read and write in English.

c. Be of good moral character as determined by a thorough background investigation, including a fingerprint search conducted of local, state and national fingerprint files.

d. Be not by reason of conscience or belief opposed to the use of force when appropriate or necessary to fulfill the person's duties.

e. Have the ability to perform the essential elements of the position as defined in department job specifications.

f. Be an appropriate candidate for employment as determined by the hiring authority's review of a qualified psychological screening.

9.1(2) *Minimum retention standards.* An employee who has demonstrated inappropriate action beyond a reasonable degree, who is not psychologically fit for jail employment, or who has repeatedly failed to observe these rules will not be retained.

9.1(3) *Conflict of interest.* A person working in a jail will not transact any business with a prisoner, nor arrange any business transaction with a prisoner through another party. The jail will have a written code of ethics that the jail provides to all employees. At a minimum, the code will:

a. Prohibit staff from using their official positions to secure privileges for themselves or others.

b. Prohibit staff from engaging in activities that constitute a conflict of interest.

This rule is intended to implement Iowa Code sections 80B.11A and 80B.13(3).

501—9.2(80B) Basic training for jailers. The following training will be successfully completed by all jail administrators within six months of appointment and all jailers within one year of employment or assignment.

9.2(1) *Basic training course.* Jail administrators and jailers will successfully complete an approved basic training course.

9.2(2) *Basic life support.* Jail administrators and jailers will successfully complete courses in cardiopulmonary resuscitation (CPR), automated external defibrillator (AED) use, and foreign body airway obstruction treatment for all age groups consistent with nationally recognized standards.

9.2(3) *First aid.* Jail administrators and jailers will successfully complete a first aid course or have status as an emergency medical responder, licensed practical nurse, registered nurse, or medical practitioner or hold other similar certification in the state of Iowa.

9.2(4) *Failure to complete training.* Should a jail administrator or jailer fail to complete all training within the time period or any extensions allowed, that person will not be eligible for employment as and will not serve as a jail administrator or jailer in the state of Iowa for a period of not less than 12 months. The period of ineligibility begins on the date the person last worked as a jail administrator or jailer.

This rule is intended to implement Iowa Code section 80B.11A and 80B.13.

501—9.3(80B) Qualifications for reciprocity. An individual employed within the 12-month period immediately preceding application, working full-time in a jail or a prison for one year, may apply for reciprocity. In determining whether to grant reciprocity, the council will consider whether the individual completed a comparable training course and any other relevant information received by the council.

This rule is intended to implement Iowa Code section 80B.11A.

501—9.4(80B) Minimum standards for jailer basic training course. A basic training course will consist of at least 40 hours, including a summative written assessment and a minimum of 8 hours of practical application, and will be provided by approved instructors.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k"* and 80B.11A.

501—9.5(80B) Jailer basic training curriculum. An academy-aligned training curriculum for a basic training course will be initially approved by the director and confirmed by the council. The curriculum will include but is not limited to:

9.5(1) Core concepts.

a. Roles and responsibilities.

b. Legal concepts, including references to the Iowa Code, jail standards, and relevant case law.

c. Suicide prevention/mental illness.

d. Prison Rape Elimination Act (PREA).

9.5(2) Core skills.

a. Communication.

b. Report writing.

9.5(3) Core competencies.

a. Safety procedures.

b. Supervision duties.

c. Specialized services.

9.5(4) Curriculum changes. Changes to the council-approved curriculum or completion standards will be approved by the director.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k"* and 80B.11A.

501—9.6(80B) Jailer professional development requirements. The agency administrator will ensure compliance with professional development requirements for all jail personnel. All jail administrators and jailers will complete the following professional development:

9.6(1) Annual professional development.

a. Annual courses include a minimum of eight hours in:

(1) Suicide prevention/mental illness.

(2) PREA.

(3) Emergency evacuation plan.

(4) Legal concepts, including references to the Iowa Code, jail standards, and relevant case law on:

1. Constitutional rights of inmates;
2. Iowa criminal law as applicable to a jail setting;
3. Affirmative duty to intervene/intercede; and
4. Use of force.

(5) Cultural awareness.

(6) Communication skills, including de-escalation.

b. Twelve hours of additional professional development to be selected by the jail administrator or sheriff, including methods of restraining violent inmates, intake procedures, and grievance and disciplinary procedures.

9.6(2) Biennial professional development.

a. CPR.

b. AED use.

c. Foreign body airway obstruction management.

This rule is intended to implement Iowa Code section 80B.11A.

501—9.7(80B) Time to complete the basic training course for temporary holding facilities. All appointed temporary holding facility administrators and designees will successfully complete an approved basic training course, a basic life support course consistent with subrule 9.2(2), and a first aid course consistent with subrule 9.2(3) within one year of employment or assignment.

This rule is intended to implement Iowa Code section 80B.11A.

501—9.8(80B) Temporary holding facility minimum standards for basic training course. The basic training course will consist of at least ten hours, including a summative written assessment, and will be provided by approved instructors.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k"* and 80B.11A.

501—9.9(80B) Temporary holding facility basic training curriculum. An academy-aligned training curriculum for the ten-hour basic training course will be initially approved by the director and confirmed by the council. The curriculum will include but is not limited to:

9.9(1) Core concepts.

a. Roles and responsibilities.

b. Legal concepts, including references to the Iowa Code, jail standards, and relevant case law.

c. Suicide prevention/mental illness.

d. PREA.

9.9(2) Core competencies. Safety procedures.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k"* and 80B.11A.

501—9.10(80B) Temporary holding facility professional development requirements. Administrators and supervisors of holding facilities will complete five hours of professional development, not including hours to maintain certification or proficiency in first aid, CPR, AED use, airway obstruction management, use of chemical agents, or handling of firearms. Annual professional development must be completed in the following areas:

1. Suicide prevention/mental illness.
2. Emergency evacuation plan.
3. PREA.

This rule is intended to implement Iowa Code section 80B.11A.

501—9.11(80B) Professional development records. The agency administrator will ensure that professional development records are regularly maintained and that the records are made available for inspection upon request of the council. Professional development records will include the following:

1. An overview of the training.
2. The name of the instructor who conducted the training.
3. The name of the individual who completed the training.
4. The length of the training.
5. The date and location where the training took place.
6. The scores achieved, if any, to show proficiency in or understanding of the subject matter.

This rule is intended to implement Iowa Code section 80B.11A.

501—9.12(80B) Break in service. A jail administrator or jailer who has had a break in service from employment as an Iowa jail administrator, jailer, or law enforcement officer will complete the following professional development within one year of hire:

9.12(1) If the break in service is from 12 months to three years, a minimum of 30 hours of professional development.

9.12(2) If the break in service is more than three years, a minimum of 40 hours of professional development.

This rule is intended to implement Iowa Code sections 80B.11(1)*"k"* and 80B.11A.

ARC 0526D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to public safety telecommunicator standards and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 10, "Reserve Peace Officers," and to adopt a new Chapter 10, "Public Safety Telecommunicator Standards," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 80B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 80B.

Purpose and Summary

Proposed Chapter 10 describes the minimum training standards for public safety telecommunicators and required professional development. As a part of the Red Tape Review required by Executive Order 10, this chapter was reviewed and revised.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/88065268126
September 23, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/89984161724

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 501—Chapter 10 and adopt the following **new** chapter in lieu thereof:

CHAPTER 10
PUBLIC SAFETY TELECOMMUNICATOR STANDARDS

501—10.1(80B) Public safety telecommunicator training committee. A training committee for public safety telecommunicators is established under Iowa Code section 7E.3(3) to consult with the director on minimum training standards. Members of the committee will meet at the call of the director and will be appointed by the director to serve a term of three years.

This rule is intended to implement Iowa Code sections 7E.3, 7E.4, and 80B.11C.

501—10.2(80B) Time to complete basic training course.

10.2(1) *Basic training required.* All persons employed primarily as public safety telecommunicators will successfully complete the academy basic training course within one year of their date of hire.

10.2(2) *Agency administrator responsibility.* It is the responsibility of the agency administrator to ensure that all telecommunicators under the agency administrator's direction receive the academy basic training course within one year of employment.

This rule is intended to implement Iowa Code section 80B.11C.

501—10.3(80B) Qualifications for reciprocity. An individual employed as a full-time public safety telecommunicator within the 12-month period immediately preceding application, with two years of experience, may apply for reciprocity. In determining whether to grant reciprocity, the council will consider whether the telecommunicator completed a comparable training course and any other relevant information received by the council.

This rule is intended to implement Iowa Code section 80B.11C.

501—10.4(80B) Minimum standards for academy basic training course. The academy basic training course will consist of at least 40 hours, including a summative written assessment and a minimum of 8 hours practical application, and will be provided by council-approved instructors.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and 80B.11C.

501—10.5(80B) Public safety telecommunicator academy basic training curriculum. The council-approved curriculum for the academy basic training course will include but is not limited to:

10.5(1) Core concepts.

a. Roles and responsibilities.

b. Legal concepts, including Iowa law.

c. Resource awareness.

d. Quality assurance.

10.5(2) Core competencies.

a. Call processing.

b. Emergency communications technology.

c. Radio communication.

d. Interpersonal communications.

e. Emergency management.

f. Stress management and motivation.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and 80B.11C.

501—10.6(80B) Professional development requirements. The agency administrator will ensure compliance with professional development for all employed public safety telecommunicators. All employed telecommunicators will complete a minimum of 16 hours of telecommunicator-related professional development annually. The agency administrator will determine whether training is telecommunicator related.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and 80B.11C.

501—10.7(80B) Professional development records. The agency administrator will ensure that professional development records are regularly maintained and that the records are made available for inspection upon request of the council. Professional development records will include the following:

1. An overview of the training.
2. The name of the instructor who conducted the training.
3. The name of the individual who completed the training.
4. The length of the training.
5. The date and location where the training took place.
6. The scores, if any, achieved by the telecommunicator to show proficiency in or understanding of the subject matter.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and 80B.11C.

501—10.8(80B) Break in service. A public safety telecommunicator who has had a break in service as an Iowa public safety telecommunicator will complete the following training within one year of hire:

10.8(1) If the break in service is from 12 months to three years, a minimum of 24 hours of professional development.

10.8(2) If the break in service is more than three years, a minimum of 40 hours of professional development.

This rule is intended to implement Iowa Code sections 80B.11(1)*"j"* and 80B.11C.

ARC 0527D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to salvage vehicle theft examinations and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 11, "Salvage Vehicle Theft Examinations," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 80B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 80B.

Purpose and Summary

This proposed rulemaking rescinds Chapter 11 because that content is proposed to be reorganized as a part of new 501—Chapter 5 in **ARC 0523D** herein.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **501—Chapter 11**.

ARC 0528D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to child support and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 12, "Child Support," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A, 80B and 252J.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80B and 252J.

Purpose and Summary

This proposed rulemaking rescinds Chapter 12 because that content is proposed to be reorganized into a new 501—Chapter 7 in **ARC 0524D** herein.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 14, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/86032546297
September 22, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/87025029060

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **501—Chapter 12**.

ARC 0529D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to public safety telecommunicator training standards and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 13, "Public Safety Telecommunicator Training Standards," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 80B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 80B.

Purpose and Summary

This proposed rulemaking rescinds Chapter 13 because that content is proposed to be reorganized into a new 501—Chapter 10 in **ARC 0526D** herein.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 23, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/88065268126
September 23, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/89984161724

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **501—Chapter 13**.

ARC 0530D

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Proposing rulemaking related to Iowa law enforcement emergency care provider and providing an opportunity for public comment

The Iowa Law Enforcement Academy Council hereby proposes to rescind Chapter 14, "Iowa Law Enforcement Emergency Care Provider," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 80B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 80B.

Purpose and Summary

This proposed rulemaking rescinds Chapter 14 because the Council decided to transition from the Iowa Law Enforcement Emergency Care Provider (ILEECP) program to a standardized national curriculum, tactical medicine, utilized by law enforcement agencies nationwide and currently used in many parts of the State for ongoing professional development. The ILEECP program caused confusion for the law enforcement community, and constituents signaled a desire to move to a first aid training better aligned to law enforcement duties and responsibilities.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 29, 2026

No public comments were received. No changes from the Regulatory Analysis have been made.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Council for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Council no later than 4:30 p.m. on September 30, 2026. Comments should be directed to:

Kristi Traynor
Iowa Law Enforcement Academy
P.O. Box 130
Johnston, Iowa 50131
Email: kristi.traynor@iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 9 to 9:30 a.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/81112722748
September 30, 2026 1 to 1:30 p.m.	In person: 7105 NW 70th Avenue Burma Road, Building A41 Johnston, Iowa Online: us06web.zoom.us/j/84189752108

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Council and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **501—Chapter 14**.

ARC 0548D

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing rulemaking related to small game hunting and providing an opportunity for public comment

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 96, "Small Game Hunting," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 481A.38, 481A.39 and 481A.48.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48.

Purpose and Summary

Chapter 96 governs small game hunting by residents and nonresidents in Iowa. Specifically, this chapter regulates small game hunting and sets forth season dates, bag limits, possession limits, shooting hours, areas open to hunting, and transportation requirements.

The proposed rule defines annual nonresident small game hunting license parameters and designates resident-only hunting periods on public lands. In more detail, the proposed rule designates a few blocks of time as resident-only for public lands, namely the opening week of the pheasant season and a four-week block in late fall for rabbit, squirrel, and grouse. Importantly, nonresidents visiting Iowa to hunt small game on private land by themselves or with family or friends will not be impacted by this proposed change. The proposed resident-only portions of the rule will only apply on public lands.

The proposed rule will more evenly distribute small game hunting pressure on public land providing for a safer and more enjoyable experience for resident and nonresident hunters alike. Additionally, a typical nonresident hunter spends five days or fewer hunting small game in Iowa annually. The proposed rule provides for up to 14 days of hunting on an annual nonresident license, with the option to purchase multiple annual licenses. In other words, this proposed change allows nonresident small game hunters to visit and hunt in Iowa for more days than they have historically been able to. Finally, and importantly, the proposed rule does not change the fees for small game hunting licenses for either residents or nonresidents.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. As noted above, the proposed rule does not change the fees for small game hunting licenses. No change in license sales is expected from this

rulemaking. As noted above, this proposed change allows nonresident small game hunters to visit and hunt in Iowa for more days than they have historically been able to.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit comments concerning this proposed rulemaking, which must be received by the Department of Natural Resources (Department) no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Chris Ensminger
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Email: chris.ensminger@dnr.iowa.gov

Free Language Assistance: If you need assistance in a language other than English, contact the Department of Natural Resources (Department) at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.250.6886 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.250.6886 al menos siete días antes del evento.

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 22, 2026	Suite 200
1 to 2 p.m.	6200 Park Avenue
	Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking. Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Free Language Assistance: If you need assistance in a language other than English, contact the Department at chris.ensminger@dnr.iowa.gov or civilrights@dnr.iowa.gov or by telephone at 515.250.6886 at least seven days before the event.

Asistencia lingüística gratuita: Si necesita ayuda en un idioma que no sea inglés, comuníquese con el Departamento al chris.ensminger@dnr.iowa.gov o civilrights@dnr.iowa.gov o por teléfono a 515.250.6886 al menos siete días antes del evento.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting.

The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following **new** rule 571—96.10(481A):

571—96.10(481A) Small game hunting by nonresidents.

96.10(1) Small game species for nonresident hunting include pheasant, quail, partridge, grouse, dove, rabbit, and squirrel.

96.10(2) Nonresident small game hunters purchasing a nonresident annual hunting license shall be limited to two 7-day periods totaling not more than 14 days per annual license purchased. Multiple nonresident annual hunting licenses may be purchased.

96.10(3) The two seven-day periods must be designated at the time the annual license is purchased and may be consecutive. The seven-day periods must fall within the season dates defined in rules 571—96.1(481A) through 571—96.4(481A) and this rule, except:

a. Small game hunting by nonresidents is not allowed on public land during the first seven days of the pheasant season as defined in subrule96.1(1).

b. Rabbit, squirrel, and grouse hunting by nonresidents is not allowed on public land from the third Saturday in October through the third Saturday in November.

96.10(4) A designated period may be changed prior to the beginning date of the period by contacting the department.

96.10(5) The nonresident five-day hunting license may be purchased independently or in conjunction with a nonresident annual hunting license.

ARC 0531D

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rulemaking related to public records and fair information practices and providing an opportunity for public comment

The Public Safety Department hereby proposes to rescind Chapter 80, "Public Records and Fair Information Practices," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 22 and 80F.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 22 and 80F.

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes rescinding Chapter 80 in its entirety. The chapter outlines fair information practices and the handling of public records. As a result of 2026 Iowa Acts, Senate File 2463, 13 of the 15 rules contained in the chapter were rescinded. The remaining two rules are unnecessary and obsolete.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 29, 2026

No public comments were received.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Josie Wagler
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6185
Email: wagler@dps.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9 to 9:30 a.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa
September 23, 2026 2 to 2:30 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **661—Chapter 80**.

ARC 0532D

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rulemaking related to missing persons and providing an opportunity for public comment

The Public Safety Department hereby proposes to rescind Chapter 89, "Missing Persons," Iowa Administrative Code, and to adopt a new Chapter 89 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 80H.6 and 694.10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 80H and 694.

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 89 and adopt a new chapter in lieu thereof. The proposed chapter outlines the duties of and program information for the Missing Person Information Clearinghouse within the Iowa Division of Criminal Investigation and provides criteria and activation/termination procedures for Iowa AMBER Alerts and Blue Alerts.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

No public comments were received.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Josie Wagler
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319

Phone: 515.725.6185
Email: wagler@dps.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 10:30 to 11 a.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa
September 23, 2026 3:30 to 4 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 661—Chapter 89 and adopt the following **new** chapter in lieu thereof:

CHAPTER 89
MISSING PERSONS

661—89.1 to **89.99** Reserved.

DIVISION I
MISSING PERSON INFORMATION CLEARINGHOUSE

661—89.100(694) Missing person information clearinghouse. The missing person information clearinghouse is established in the division of criminal investigation to provide the services identified in Iowa Code section 694.10.

661—89.101(694) Administration of missing person information clearinghouse. The division of criminal investigation administers the missing person information clearinghouse, and all questions, comments, or requests for, or submission of, information should be directed to the clearinghouse at the division of criminal investigation. Inquiries by mail should be addressed to Missing Person Information Clearinghouse, Division of Criminal Investigation, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. Inquiries by email should be addressed to mpicinfo@dps.state.ia.us.

661—89.102(694) Definitions. The following definitions apply to rules 661—89.100(694) through 661—89.106(694).

"Approved" means having met the criteria set forth by the department.

"Clearinghouse" means the missing person information clearinghouse in the division of criminal investigation of the department.

"Commissioner" means the commissioner of the department or the commissioner's authorized designee.

"Department" means the Iowa department of public safety.

"Missing person" means the same as defined in Iowa Code section 694.1.

"Missing person report" means a report filed by a law enforcement agency or a private individual with the clearinghouse on a missing person report form.

"Missing person report form" means a form designated by the department for use by private citizens and law enforcement agencies to report missing person information to the clearinghouse. Law enforcement agencies may use forms other than the form designated by the department to submit missing person information to the clearinghouse, provided that all of the information requested on the designated form is provided.

"Prevention and education materials" means those materials that are designed to aid in the prevention of child abduction and to address risks of the exploitation of missing children and that are used in conjunction with a prevention and education program.

"Prevention and education programs" means those programs that have as their primary purpose the prevention of child abduction and of the exploitation of missing children.

"Programs and materials registry" or *"registry"* means a list of prevention and education materials and programs approved by the department.

661—89.103(694) Program information.

89.103(1) A toll-free telephone line (1.800.346.5507) is available 24 hours a day, seven days a week, to collect and disseminate information concerning missing persons in Iowa.

89.103(2) Current information on Iowa missing persons, including photographs when available, is available on the website of the clearinghouse at missingpersons.iowa.gov.

89.103(3) After filing a complaint of a missing person with a law enforcement agency, the person filing the complaint may submit information to the clearinghouse on a missing person report form, which may be obtained from the clearinghouse or any law enforcement agency.

89.103(4) After a missing person complaint has been filed with a law enforcement agency, any person may submit information on a missing person report form to the clearinghouse.

661—89.104(694) Prevention and education programs and materials.

89.104(1) The clearinghouse shall maintain a registry of approved prevention and education programs and materials regarding missing and runaway children.

89.104(2) Any person or group wishing to submit prevention and education programs and materials for approval and inclusion in the registry may contact the clearinghouse in order to request information on submitting prevention and education programs and materials for approval.

89.104(3) The clearinghouse shall consider prevention and education programs and materials submitted for approval only upon receipt by the clearinghouse of all specified materials. Any modification to approved programs or materials require approval. No prevention and education programs or materials may be represented as having been approved by the clearinghouse or the department unless they have been approved and placed on the registry. Prevention and education programs and materials that have been approved by the National Center for Missing and Exploited Children are deemed to be approved by the department.

89.104(4) Prevention or education programs or materials may be rejected if it is determined that materials utilized or content of the program is other than that which was submitted to the clearinghouse for approval, or if it is determined that information provided in previously approved prevention and education programs and materials is outdated or misleading. Prevention or education programs or materials for which approval has been withdrawn by the clearinghouse will be removed from the registry.

89.104(5) If prevention or education programs or materials submitted to the clearinghouse are rejected or removed from the registry, the person or group that submitted the programs or materials may appeal the rejection or removal to the commissioner within 30 days of the date on which the clearinghouse notified the person or group of the rejection or removal. A proceeding arising from this rule shall be a contested case and shall be subject to 7—Chapter 2506.

89.104(6) Any individual may file a complaint with the clearinghouse regarding prevention and education programs and materials on the registry. Complaints shall be directed to the clearinghouse in writing.

661—89.105(694) Release of information. Prevention and education materials and program information filed with the clearinghouse for review are open records. Information received by the department that pertains to a missing person, other than criminal investigative data, shall be open records unless deemed confidential pursuant to Iowa Code chapter 22, 692 or 694 or other provision of law.

661—89.106(694) Dissemination.

89.106(1) The clearinghouse shall distribute missing person information that contains the names, photographs, descriptions, and information related to the events surrounding the disappearance of missing persons through publication on the clearinghouse website. The law enforcement agency or person to contact if a missing person is located and the names of all located missing persons will be included in the information shown on the website.

89.106(2) Each week the clearinghouse shall produce, update, and publish public service announcements on the clearinghouse website. A media outlet may request to receive the weekly public service announcement by email by subscribing to the email notification service available through the department website.

661—89.107 to **89.199** Reserved.

DIVISION II
AMBER ALERT PROGRAM

661—89.200(694) AMBER alert program. The AMBER alert program is a cooperative effort of the department, the department of transportation, the lottery authority, the Iowa association of broadcasters, the Iowa state association of sheriffs and deputies, local law enforcement agencies, and the national weather service.

661—89.201(694) Criteria.

89.201(1) An AMBER alert shall be issued by Iowa state patrol communications upon receipt of a request from a law enforcement agency, provided that the following criteria for issuance of an AMBER alert are met:

a. Law enforcement has confirmed that a person has been abducted, and an entry has been made into the Iowa On-line Warrants and Articles (IOWA) System identifying the person as missing.

b. The person who has been abducted is under the age of 18.

c. Law enforcement believes the circumstances surrounding the abduction indicate that the child is in danger of serious bodily injury or death.

d. There is enough descriptive information about the child, abductor, or suspect's vehicle to believe that an immediate broadcast alert will help.

89.201(2) The criteria should be interpreted broadly so as to protect the safety of the abducted child and to maintain the integrity of the AMBER alert program and criteria.

661—89.202(694) Activation procedures.

89.202(1) An Iowa AMBER alert shall be issued by Iowa state patrol communications upon receipt of a request from a participating law enforcement agency, provided that the criteria established in rule 661—89.201(694) are met.

89.202(2) In order to initiate an Iowa AMBER alert, a law enforcement agency shall submit by facsimile transmission a completed copy of the State of Iowa AMBER Alert Notification Plan Facsimile Transmission Packet to the Des Moines station of Iowa state patrol communications. If transmission to the Des Moines station is not feasible, transmission may be made to the Cedar Rapids station of Iowa state patrol communications.

89.202(3) Upon receipt by Iowa state patrol communications of a completed facsimile transmission packet and if the AMBER alert criteria established in rule 661—89.201(694) are met, an AMBER alert shall be transmitted via the Emergency Alert System (EAS) to Iowa broadcasters.

89.202(4) After initiation of an AMBER alert, additional information may be submitted by the participating law enforcement agency by facsimile transmission, email, or telephone.

89.202(5) After initiation of an AMBER alert, available information shall be posted on the Iowa AMBER alert website at www.iowaamberalert.org.

89.202(6) The communications officer of the Iowa state patrol may direct the issuance of an Iowa AMBER alert, upon receiving a request to do so from another state in which an AMBER alert has been issued, provided that there is evidence that the abductor may be traveling with the abducted child to or through Iowa.

89.202(7) An Iowa AMBER alert shall terminate if the child who was abducted is located or if five hours have elapsed since the initiation of the alert. An alert may be renewed.

89.202(8) If an Iowa AMBER alert is requested and if the circumstances indicate that a person is missing, the information shall be transmitted promptly to the Iowa missing person information clearinghouse.

661—89.203(694) Alternative alert if criteria are not satisfied. If an AMBER alert has been requested and the criteria established in rule 661—89.201(694) are not satisfied, the department may issue a missing person alert or a missing child alert.

These rules are intended to implement Iowa Code chapter 694.

661—89.204 to **89.299** Reserved.

DIVISION III
BLUE ALERT PROGRAM

661—89.300(80H) Blue alert program. This chapter implements the Iowa blue alert program.

661—89.301(80H) Definitions. The definitions in Iowa Code section 80H.1 are adopted and incorporated herein. In addition:

"In the line of duty" or *"on duty"* means the peace officer is working within the scope of a peace officer, or there is evidence the death or serious injury of the peace officer or the fact the peace officer is missing is related to the peace officer's actions within the scope of a law enforcement officer.

"Serious injury" means the same as defined in Iowa Code section 702.18.

661—89.302(80H) Criteria for alert for officer injury or death or for missing officer. A blue alert shall be issued by Iowa state patrol communications upon receipt of a request from a law enforcement agency, provided the criteria in Iowa Code section 80H.3 are met.

661—89.303(80H) Alternative alert if criteria are not satisfied. If a blue alert has been requested and the criteria established in Iowa Code chapter 80H are not satisfied, the department may broadcast identifying information of the suspect, issue a missing person alert, or both.

661—89.304(80H) Activation procedures.

89.304(1) An Iowa blue alert shall be issued by department communications upon receipt of a request from a participating law enforcement agency, provided the criteria established in Iowa Code chapter 80H are met.

89.304(2) In order to initiate an Iowa blue alert, a law enforcement agency shall submit by facsimile transmission a completed copy of the State of Iowa Blue Alert Notification Plan Facsimile Transmission Packet to the Des Moines station of department communications. If transmission to the Des Moines station is not feasible, transmission may be made to the Cedar Rapids station of department communications.

89.304(3) Upon establishment of the blue alert criteria established in Iowa Code section 80H.3, the department shall transmit a blue alert through the emergency alert system to Iowa broadcasters.

89.304(4) Upon the transmission of a blue alert, the department shall post the alert on its website, which is accessible by the public at dps.iowa.gov.

89.304(5) After an initial blue alert transmission, additional information may be submitted by the participating law enforcement agency by facsimile transmission, email, or telephonic means.

89.304(6) The bureau chief of the department communications bureau may direct the transmission of an Iowa blue alert upon request from another state, provided that there is evidence the suspect may be present in Iowa.

89.304(7) The blue alert transmission may be directed to a specific geographic location within the state if the department communications bureau determines that the nature of the event makes it probable that the suspect or peace officer did not leave a certain geographic location of the state.

These rules are intended to implement Iowa Code chapter 80H.

ARC 0533D

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rulemaking related to disposition of seized and forfeited weapons and ammunition and providing an opportunity for public comment

The Public Safety Department hereby proposes to rescind Chapter 95, "Disposition of Seized and Forfeited Weapons and Ammunition," Iowa Administrative Code, and to adopt a new Chapter 95 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 809A.17 and 809A.25.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 809.21 and 809A.17.

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 95 and adopt a new chapter in lieu thereof. The proposed chapter outlines the disposition of seized and forfeited weapons and ammunition that are deposited with the Department.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026. A public hearing was held on the following date(s):

- July 28, 2026

No public comments were received.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Josie Wagler
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6185
Email: wagler@dps.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 22, 2026 9:30 to 10 a.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa
September 23, 2026 2:30 to 3 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 661—Chapter 95 and adopt the following **new** chapter in lieu thereof:

CHAPTER 95
DISPOSITION OF SEIZED AND FORFEITED WEAPONS AND AMMUNITION

661—95.1(809,809A) Definitions. The following definitions apply to the rules in this chapter:

"Ammunition reference file" means the physical collection of ammunition received, collected and maintained by the division of criminal investigation criminalistics laboratory for testing and evaluation purposes.

"Firearms inventory" means a listing of firearms received, collected, maintained, and disposed of by the division of criminal investigation criminalistics laboratory and of transactions regarding firearms completed by the laboratory. Firearms in the temporary custody of the laboratory for evidentiary examination are not included in the firearms inventory.

"Firearms reference file" means the physical collection of firearms received, collected and maintained by the division of criminal investigation criminalistics laboratory for comparison and identification purposes.

661—95.2(809,809A) Ammunition and firearms. The division of criminal investigation criminalistics laboratory shall examine and evaluate all firearms and ammunition submitted to the laboratory pursuant to Iowa Code section 809A.17. All firearms submitted to the laboratory shall be evaluated and disposed of as provided in Iowa Code sections 809.21 and 809A.17 and these rules. Any ammunition submitted to the laboratory may be entered into the laboratory's ammunition reference file and may be utilized by the laboratory for testing and evaluation purposes.

661—95.3(809,809A) Firearms inventory. There is established a continuous firearms inventory in the division of criminal investigation criminalistics laboratory. All firearms transactions covered by any of the provisions noted herein, other than receipts and returns of weapons for evidentiary examination, shall be recorded as and made a part of the continuous firearms inventory. Each individual entry in the inventory shall be maintained for a period of no less than 20 years. Inventory entries that refer to firearms retained in the firearms reference file shall be maintained permanently.

661—95.4(809,809A) Deposit of firearms in the firearms reference file. There is established a division of criminal investigation criminalistics laboratory firearms reference file. Firearms submitted to the laboratory, other than firearms submitted solely for evidentiary examination, shall be evaluated as to their possible worth for testing and evaluation purposes. Any firearms deemed useful for such purposes shall be deposited in the firearms reference file.

661—95.5(809,809A) Disposition of firearms (interstate). Any firearm in the possession of the division of criminal investigation criminalistics laboratory pursuant to Iowa Code section 809A.17 that is not entered into the firearms reference file pursuant to the provisions of rule 661—95.4(809,809A) and that the commissioner of public safety deems appropriate for distribution to other crime laboratories may be offered to them.

661—95.6(809A) Transfer of rifles and shotguns to the department of natural resources. Any rifle or shotgun in the possession of the division of criminal investigation criminalistics laboratory pursuant to Iowa Code section 809A.17 that is not entered in the firearms reference file pursuant to rule 661—95.4(809,809A) or distributed to another crime laboratory pursuant to rule 661—95.5(809,809A) may be transferred to the department of natural resources for disposition pursuant to the rules of that department.

661—95.7(809,809A) Disposition of firearms (intrastate). Any firearm not entered in the firearms reference file pursuant to rule 661—95.4(809,809A) and still in the possession of the division of criminal investigation criminalistics laboratory pursuant to Iowa Code section 809A.17, subsequent to the procedures set out in rules 661—95.5(809,809A) and 661—95.6(809A), shall be evaluated for usefulness to Iowa law enforcement agencies. Any firearm that is deemed suitable for law enforcement

purposes may be distributed to an Iowa law enforcement agency that has made a request for such firearm. This distribution shall be made in accordance with the reasonable needs of the requesting agency as determined by the commissioner of public safety. Any firearm received by a law enforcement agency pursuant to this rule is for the internal use of the receiving agency and cannot be resold or otherwise distributed outside of the receiving agency, other than to be returned to the division of criminal investigation criminalistics laboratory.

661—95.8(809,809A) Final disposition and destruction of firearms. All firearms in the possession of the division of criminal investigation criminalistics laboratory pursuant to Iowa Code section 809A.17 that are not disposed of by the procedures provided in rules 661—95.2(809,809A) through 661—95.7(809,809A) shall be destroyed and documented as such. Destruction shall be accomplished by grinding and chopping at a scrap metal facility or meltdown at a suitable foundry operation. All destruction shall be supervised and conducted by the staff of the division of criminal investigation criminalistics laboratory.

661—95.9(809,809A) Disposition of explosives. Any law enforcement agency in possession of forfeited explosives shall contact the arson and explosives bureau of the fire marshal division for instructions and shall follow the instructions received from the fire marshal division for the disposition of the forfeited explosives.

661—95.10(809,809A) Disposition of weapons other than firearms and explosives. Any law enforcement agency in the possession of a forfeited weapon other than a firearm, ammunition, or explosives may contact the division of criminal investigation criminalistics laboratory for instructions regarding the disposition of the forfeited weapons.

These rules are intended to implement Iowa Code sections 809.21 and 809A.17.

ARC 0546D

REGENTS BOARD[681]

Notice of Intended Action

Proposing rulemaking related to uniform rules on agency procedure and providing an opportunity for public comment

The Board of Regents hereby proposes to rescind Chapter 17, "Public Records and Fair Information Practices," and to adopt new Chapter 2505, "Fair Information Practices," and Chapter 2506, "Contested Cases," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 262.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, Senate File 2463.

Purpose and Summary

This proposed rulemaking implements the transition to the statewide Uniform Rules on Agency Procedure as mandated by 2026 Iowa Acts, Senate File 2463. The Board has adopted the majority of the Uniform Rules on Agency Procedure to ensure consistency across the State.

Pursuant to Senate File 2463, section 5, the Board has determined that the following modifications are necessary.

Item 1: Chapter 17, "Public Records and Fair Information Practices."

The Board is required to maintain specific information policies regarding personally identifiable information (PII) pursuant to Iowa Code section 22.11. The Board is rescinding the entirety of Chapter 17 and simultaneously adopting the mandatory PII provisions within the new Chapter 2505. This ensures all fair information practices are centralized and compliant with statutory requirements.

Item 2: Adopting Chapter 2505, "Fair Information Practices."

Modification 1: Paragraphs 2505.3(7)"b," regarding fees and costs, and 2505.3(7)"c," regarding advance payment.

Justification 1: The Board is opting out of the uniform three-hour free labor threshold and the $250 advance payment. These modifications are necessary because the universities and Board Office manage a high volume of complex records requests that often require extensive manual searches and highly technical confidentiality reviews by staff and legal counsel. In many instances, responsive records are often maintained across multiple colleges, departments, and offices, requiring coordination among numerous custodians and significantly increasing the time and effort needed to fulfill requests. Requiring three hours of staff or attorney labor at no charge would create a significant unfunded mandate and materially increase the administrative workload. The modified approach of providing 30 minutes of labor at no cost and requiring advance payment for estimated fees exceeding $25 is a reasonable extension of the Board's existing practice. The $25 advance payment threshold is vital to ensure the Board can recover the actual costs of labor and to prevent the expenditure of significant staff time on requests that are later abandoned or left unpaid.

Modification 2: Rules 681—2505.9(17A,22) and 681—2505.10(22), regarding PII.

Justification 2: The Board is reintegrating the descriptions of PII systems, formerly located in Chapter 17. This reintegration is necessary to fulfill the requirements of Iowa Code section 22.11, which mandates that State agencies describe the nature and extent of the PII State agencies collect. This modification ensures all fair information practices are centralized in a single chapter.

Item 3: Adopting Chapter 2506, "Contested Cases."

Modification: Rules 681—2506.27(17A) and 681—2506.32(17A), regarding appeals and review.

Justification: The Board is opting out of the uniform appeals procedure for contested cases to allow for the established appellate process under which matters are first reviewed by the university president before being appealed to the Board for final agency action.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Aimee Claeys, General Counsel
Board of Regents
11260 Aurora Avenue
Urbandale, Iowa 50322
Phone: 515.281.6456
Email: aimee.claeys@iowaregents.edu

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0554D**, IAB 9/2/26). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rulemaking, whose subject matter is hereby adopted by reference.

ARC 0544D

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

Notice of Intended Action

Proposing rulemaking related to subsidence and providing an opportunity for public comment

The Soil Conservation and Water Quality Division hereby proposes to amend Chapter 60, "Minerals Program," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in 2026 Iowa Acts, House File 2765.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, House File 2765.

Purpose and Summary

This proposed rulemaking establishes a notification and reclamation process that the Division will use in the event of a subsidence that occurs on public land or in a public right-of-way.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Division for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Division no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Colin Tadlock
Iowa Department of Agriculture and Land Stewardship
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319
Phone: 515.518.7609
Email: colin.tadlock@iowaagriculture.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0545D**, IAB 9/2/26). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rulemaking, whose subject matter is hereby adopted by reference.

ARC 0516D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to motor vehicle records—driver's privacy protection and electronic communications and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 301, "Driver's Privacy Protection—Motor Vehicle Records," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 321.11, 321.16A and 321A.3.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.11.

Purpose and Summary

The purpose of the proposed amendments is to align with 2026 Iowa Acts, Senate File 2088, sections 30 and 31, which classify phone numbers and email addresses as personal information under Iowa Code section 321.11, and to support electronic communication with Motor Vehicle Division customers through the Department's new information technology (IT) system. Receiving electronic communications through the new system is voluntary and may be in the form of text or email notifications, or documents accessible through the system. The rulemaking identifies that the terms of accessing and receiving electronic communications from the Department will be made available to review prior to signing up. The proposed amendments also clarify the definition of express written consent and incorporate a $0.50 per record fee for issuing noncertified copies of motor vehicle records as authorized under Iowa Code section 321.11(4). This fee matches the fee charged in Iowa Code section 321.491 for noncertified copies of certain records provided by the clerk of the district court, which are transferred to the Department as appropriated receipts.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 23, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 23, 2026 1:30 to 2 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 741 195 33#

September 23, 2026 4 to 4:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 556 950 299#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend **761—Chapter 301**, title, as follows:

~~DRIVER'S PRIVACY PROTECTION —~~MOTOR VEHICLE RECORDS—DRIVER'S PRIVACY PROTECTION AND ELECTRONIC COMMUNICATIONS

ITEM 2. Amend rule 761—301.1(321) as follows:

761—301.1(321) Applicability and adoption. This chapter applies to personal information and highly restricted personal information in motor vehicle records of the department and electronic communications from the department's records system. The department adopts the Driver's Privacy Protection Act of 1994 (18 U.S.C. §2721 and 2725 effective as of October 23, 2000, and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994) for motor vehicle records. The department does not provide the waiver procedure described in the Driver's Privacy Protection Act (codified as 18 U.S.C. §2721(d) effective as of October 23, 2000).

This rule is intended to implement Iowa Code section 321.11 and section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 3. Amend rule **761—301.2(321)**, definition of "Express written consent," as follows:

"Express written consent" as used in Iowa Code section 321.11 means the same as "express consent" as used and defined in 18 U.S.C. §2721 and §2725(5) effective as of October 23, 2000, and must either be notarized or accompanied by proof of identity of the ~~requester~~ individual or vehicle owner to whom the information applies.

ITEM 4. Amend rule 761—301.3(321) as follows:

761—301.3(321) Information and addresses. Information and forms for records pertaining to motor vehicle records may be obtained ~~at any driver's license service center or~~ electronically from the department's records system; by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278; in person at any driver's license service center or 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.237.3110; by email at privacy.agreements@iowadot.us; or on the department's website at www.iowadot.gov/mvd/vehicleregistration/records for vehicle records and www.iowadot.gov/mvd/driverslicense/records for driving records.

This rule is intended to implement Iowa Code section 321.11 and section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31.

ITEM 5. Amend rule 761—301.4(321) as follows:

761—301.4(321) Requirements and procedures —requesting access to motor vehicle records.

301.4(1) A requester seeking personal information or highly restricted personal information is required to:

a. Complete Form 431069, "Privacy Act Agreement for Request of Motor Vehicle Records," and submit the form to the department's records system, any driver's license service center or the motor vehicle division at the address in rule 761—301.3(321). Requests for information about another individual require completion of Parts A, B (if applicable), C, and D of Form 431069. Requests for an individual's own information require completion of Part A.

b. No change.

301.4(2) A law enforcement agency that requests personal information or highly restricted personal information is to either follow the process in subrule 301.4(1) or complete and submit Form ~~431200~~ 432069, "Certified Motor Vehicle Record Request Form for Use by County Attorney's Offices and Law Enforcement Agencies," to the department's records system, any driver's license service center or the motor vehicle division at the address in rule 761—301.3(321). Alternately, a law enforcement agency may enter into a memorandum of understanding with the department for the purposes of requesting personal information or highly restricted personal information.

301.4(3) Personal information and highly restricted personal information, except for an individual's email address, telephone number and photograph or image, may be disclosed with the express written consent of the individual or vehicle owner to whom such information applies. When the requester has obtained the written consent of the individual or vehicle owner to whom the information applies, the requester must attach that written consent on a completed Form 431069, "Privacy Act Agreement for Request of Motor Vehicle Records," and submit the form to any driver's license service center or the motor vehicle division at the address in rule 761—301.3(321).

301.4(4) to **301.4(7)** No change.

This rule is intended to implement Iowa Code sections 321.10, 321.11 as amended by 2026 Iowa Acts, Senate File 2088, section 30, 321.11 and 321.13; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 6. Amend rule 761—301.6(321,321A) as follows:

761—301.6(321,321A) Certified abstract of operating records.

301.6(1) A certified abstract of the operating record includes the information that is on the face of an individual's driver's license, plus information on the individual's sanctions, reportable vehicle accidents, and convictions. The certified abstract of operating record does not include the individual's email address, telephone number, photograph, social security number, or medical or disability information.

a. and *b.* No change.

301.6(2) and **301.6(3)** No change.

This rule is intended to implement Iowa Code sections 321.11 as amended by 2026 Iowa Acts, Senate File 2088, section 30, 321.13 and 321A.3; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 7. Adopt the following **new** subrule 301.7(5):

301.7(5) A $0.50 per record fee for noncertified copies of motor vehicle records.

ITEM 8. Adopt the following **new** rule 761—301.8(321,321A):

761—301.8(321,321A) Electronic communications.

301.8(1) Pursuant to Iowa Code section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31, a person may consent to access and receive electronic communications and documents from the department through the department's records system.

301.8(2) Prior to giving consent, the department will make information available through the department's records system, website or other appropriate method as determined by the department

regarding the terms of accessing and receiving electronic communications from the department, including the procedures for withdrawing consent.

301.8(3) Personal information and highly restricted personal information will be used and disclosed only as permitted under Iowa Code sections 321.11 and 321.16A and this chapter.

This rule is intended to implement Iowa Code section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31.

ARC 0518D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to interstate motor vehicle fuel licenses and permits and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 505, "Interstate Motor Vehicle Fuel Licenses and Permits," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 452A.56.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 452A.56.

Purpose and Summary

The purpose of the proposed amendment is to adopt the most recent version of the International Fuel Tax Agreement (IFTA) effective January 2026. Iowa Code section 452A.56 authorizes the Department's membership to the IFTA and the Department's implementation of the IFTA for the collection and refund of interstate motor fuel tax. Changes made in the 2026 update include adding new definitions of "kilowatt hour" and "volume," both of which are intended to further clarify measurement units for fuel taxation and reporting.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 22, 2026 1 to 1:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 733 697 5#
September 23, 2026 9 to 9:30 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 782 355 337#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend subrule 505.2(2) as follows:

505.2(2) *Organizational data.* The motor vehicle division is authorized pursuant to Iowa Code chapter 452A to:

a. Issue fuel licenses or temporary fuel permits.

b. Compute and collect interstate motor fuel taxes.

c. Refund overpayments of interstate fuel taxes.

d. Administer agreements with other jurisdictions for the collection and refund of interstate motor fuel tax. Pursuant to Iowa Code section 452A.56, the department has adopted and incorporates into this chapter the IFTA effective January ~~2025~~ 2026. IFTA governing documents do not create rights for the taxpayer.

ARC 0515D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to classes of driver's licenses and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 602, "Classes of Driver's Licenses," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321.189.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.180 and 321.189 and 2026 Iowa Acts, Senate File 2088.

Purpose and Summary

The purpose of the proposed amendment is to conform with 2026 Iowa Acts, Senate File 2088, which eliminates the chauffeur's instruction permit as a permit type issued by the Department and to update the rules to reflect how commercial learner's permits and restricted commercial driver's licenses will display under the Department's new information technology (IT) system. The chauffeur's instruction permit was removed from statute because it is obsolete; individuals can instead use a Class C permit or license to gain the driving experience required for a chauffeur's license. Additionally, commercial learner's permits and restricted commercial driver's licenses will display an identifier for the license type on the front of the credential rather than only a restriction number that is explained on the back of the license.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 22, 2026 2 to 2:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 127 508 759#
September 23, 2026 10 to 10:30 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 719 779 043#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 761—602.3(321) as follows:

761—602.3(321) Driver's licenses.

602.3(1) No change.

602.3(2) *Special licenses and permits.* The department issues the following special licenses and permits. More than one type of special license or permit may be issued to an applicant. On the driver's license, an identifier or a restriction number designates the type of special license or permit issued as follows:

1—Motorcycle instruction permit—includes motorcycle instruction permits issued under Iowa Code sections 321.180(1) and 321.180B(1)

2—Noncommercial instruction permit (vehicle less than 16,001 gross vehicle weight rating)—includes instruction permits, other than motorcycle instruction permits, issued under Iowa Code sections 321.180(1), 321.180A and 321.180B(1)

~~3—Commercial learner's permit~~

~~4—Chauffeur's instruction permit~~

5—Motorized bicycle (moped) license

6—Minor's restricted work license

7—Special minor's restricted license

8—Special instruction permit

Commercial learner's permit

Restricted commercial driver's license

602.3(3) No change.

This rule is intended to implement Iowa Code sections 321.178, 321.180 ~~through~~ as amended by 2026 Iowa Acts, Senate File 2088, section 2, 321.180A, 321.180B, 321.189, and 321.194.

ARC 0519D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to license issuance and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 605, "License Issuance," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)"j," 321.182, 321.189, 321.195 and 321.196.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.182, 321.189, 321.195 and 321.196 and 2026 Iowa Acts, Senate File 2088.

Purpose and Summary

The purpose of the proposed amendments is to align the rules with 2026 Iowa Acts, Senate File 2088, section 16, which authorizes the Department to provide electronic driver's license replacement services through the Department's new information technology (IT) system. The amendments also update the rules to reflect how the new system will process other driver's license issuance transactions, including electronic renewals, and make corresponding technical and citation changes throughout the chapter.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department made one change from the Regulatory Analysis. The Department proposes to revise the definition of "medical report" to include a supplemental medical report that can be used by medical professionals after a driver completes occupational therapy or driver rehabilitation. This supplemental report is specifically tailored for situations in which such therapy or rehabilitation was required and therefore allows for a more accurate description of any resulting qualifications or licensing recommendations.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 22, 2026 11:30 a.m. to 12 noon	Microsoft Teams Or dial: 515.817.6093 Conference ID: 123 015 204#
September 22, 2026 3:30 to 4 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 409 751 774#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule **761—605.2(307,321)**, definitions of "Medical report," "Qualified medical professional" and "Temporarily present in this state," as follows:

"Medical report" means a report from a qualified medical professional attesting to a person's physical or mental capability to operate a motor vehicle safely. The report should be submitted on Form 430031 or Form 420010 if it is a supplemental medical report submitted after completion of occupational therapy or driver rehabilitation. In lieu of Form 430031 or 420010, a report signed by a qualified medical professional on the qualified medical professional's letterhead may be accepted if it contains all the information specified on Form 430031 or 420010, as applicable.

"Qualified medical professional" means a person licensed as a physician under Iowa Code chapter 148, a person licensed as an advanced registered nurse practitioner under Iowa Code chapter 152 and licensed with the board of nursing or a person licensed as a physician ~~assistant~~ associate under Iowa Code chapter 148C as amended by 2026 Iowa Acts, Senate File 2190, section 3, when practicing within the scope of the person's professional licensure.

"Temporarily present in this state" means a person who has temporary lawful status as defined in 6 CFR Section 37.3 effective January 1, ~~2024~~ 2025.

ITEM 2. Amend subrule 605.3(3) as follows:

605.3(3) When the department receives evidence that an Iowa licensed driver has been adjudged incompetent or is not physically or mentally qualified to operate a motor vehicle safely, the department will deny or suspend the license for incapability, as explained in rule ~~761—615.14(321), or deny further licensing, as explained in rule 761—615.4(321)~~ 761—615.7(321).

ITEM 3. Amend rule 761—605.4(142C,321) as follows:

761—605.4(142C,321) Contents of license. In addition to the information specified in Iowa Code section 321.189(2), the following information will be shown on a driver's license.

605.4(1) *Name.* The licensee's full legal name will be listed as established according to ~~761—subrules 601.5(1) and 601.5(5)~~ 761—subrules 601.4(1) and 601.4(5) and will conform to the requirements of ~~761—subrule 601.1(2)~~ 761—subrule 601.2(1).

605.4(2) *Current residential address.* The licensee's current residential address will be listed as established according to the requirements of ~~761—subrule 601.1(6) and 761—subrule 601.5(3)~~ 761—subrules 601.2(5) and 601.4(3).

605.4(3) *Physical description.* The physical description of the licensee on the face of the driver's license will include the following as established according to the requirements of ~~761—subrule 601.1(5)~~ 761—subrule 601.2(4):

a. and *b.* No change.

605.4(4) *Date of birth.* The licensee's date of birth will be listed as established according to ~~761—subrules 601.5(1) and 601.5(6)~~ 761—subrules 601.4(1) and 601.4(6).

605.4(5) *Sex.* The licensee's sex will be identical to the sex listed on the identity document submitted under ~~rule 761—601.5(321)~~ 761—subrule 601.4(1).

605.4(6) *REAL ID markings.*

a. A driver's license that is issued as a REAL ID driver's license as defined in rule ~~761—601.7(321)~~ 761—601.6(321) will include a security marking as required by 6 CFR Section 37.17(n) effective January 1, ~~2024~~ 2025.

b. A driver's license that is not issued as a REAL ID driver's license as defined in rule ~~761—601.7(321)~~ 761—601.6(321) is to include the following statement on the face of the card: "not for REAL ID act purposes" as required by 6 CFR Section 37.71 effective January 1, ~~2024~~ 2025, and any subsequent guidance issued by the U.S. Department of Homeland Security.

c. No change.

605.4(7) No change.

This rule is intended to implement ~~Iowa Code section 4.1A as enacted by 2025 Iowa Acts, Senate File 418;~~ Iowa Code sections 4.1A, 142C.3 and 321.189; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.

ITEM 4. Amend rule 761—605.5(321) as follows:

761—605.5(321) License class. The driver's license class will be ~~coded~~ identified on the face of the driver's license ~~using these codes~~ as follows:

Class A—commercial driver's license
Class B—commercial driver's license
Class C—commercial driver's license
Class C—noncommercial driver's license
Class D—noncommercial driver's license, chauffeur
Class M—noncommercial driver's license, motorcycle only
Commercial learner's permit
Restricted commercial driver's license

This rule is intended to implement Iowa Code section 321.189.

ITEM 5. Amend rule 761—605.7(321) as follows:

761—605.7(321) Restrictions. Restrictions will be coded on the face of the driver's license and explained in text on the front or back of the driver's license or in the department's records system, depending on the nature of the restriction. For purposes of this rule, "CMV" means commercial motor vehicle.

605.7(1) *For all licenses.* The following restrictions may apply to any driver's license:

B—Corrective lenses required
C—Mechanical aid (as detailed in the restriction on the back of the card)
D—Prosthetic aid (as detailed in the restriction on the back of the card)
F—Left and right outside rearview mirrors
G—No driving when headlights required
H—Temporary restricted license or permit (work permit)
I—Ignition interlock required
J—Restrictions on the back of card
S—SR required (proof of financial responsibility for the future)
~~T—Medical report required at renewal~~
U—Not valid for two-wheel vehicle
W—Restricted commercial driver's license (CDL)
Y—Intermediate license

605.7(2) to **605.7(4)** No change.

605.7(5) *Special licenses.* A numbered restriction will designate a special driver's license using these codes:

1—Motorcycle instruction permit
2—Noncommercial instruction permit (vehicle less than 16,001 gross vehicle weight rating)
~~3—Commercial learner's permit~~
5—Motorized bicycle license
6—Minor's restricted work license
7—Special minor's restricted license

605.7(6) No change.

This rule is intended to implement Iowa Code chapter 321A and sections 321.177, 321.178, 321.180 through 321.180B, 321.186, 321.188, 321.189, 321.193, 321.194, 321.215, 321J.4 and 321J.20.

ITEM 6. Amend rule 761—605.8(321) as follows:

761—605.8(321) Credential term for a foreign national temporarily present in this state. A driver's license or nonoperator's identification card issued to a person who is a foreign national who is temporarily present in this state shall be issued only for the length of time the person is authorized to be present in the United States as verified by the department, not to exceed two years, pursuant to 6 CFR Section 37.21 effective January 1, ~~2024~~ 2025. However, if the person's lawful status has no expiration date, the driver's license will be issued for a period of no longer than one year.

This rule is intended to implement Iowa Code section 321.196; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.

ITEM 7. Amend subrules 605.9(1) to 605.9(2) as follows:

605.9(1) If the payment is by check, the check ~~shall be for the exact~~ cannot exceed the total amount of the fee ~~and~~ that is due but the check can be for an amount less than the total amount if combined with another payment method. All checks must be payable to: Treasurer, State of Iowa. An exception may be made when a traveler's check is presented.

605.9(2) One payment method, or split payment methods, may be used to pay fees for several persons, such as members of a family or employees of a business firm. One payment method, or split payment methods, may pay all fees involved, such as the license fee and the reinstatement fee.

ITEM 8. Amend rule 761—605.10(307,321) as follows:

761—605.10(307,321) Duplicate license.

605.10(1) *Lost, stolen or destroyed license.* Prior to replacing a valid license that is lost, stolen or destroyed, the department will verify the licensee's full legal name, date of birth and social security number and collect the replacement fee. A licensee subject to ~~761—paragraph 601.5(2)~~ 761—paragraph 601.4(2)*"b"* shall provide the applicant's U.S. Customs and Immigration Services number, which must be verified by the department. The department may investigate or require additional information as may be reasonably necessary to determine that the licensee's identity matches the identity of record and will not issue the replacement license if the licensee's identity is questionable, cannot be determined or otherwise does not match the identity of record.

605.10(2) *Voluntary replacement.* The department will issue a duplicate of a valid license to an eligible licensee if the license is surrendered to the department and the replacement fee is paid. Voluntary replacement includes but is not limited to:

a. to *g.* No change.

h. Replacement of a valid license before its expiration date to obtain a license that may be accepted for federal identification purposes under 6 CFR Part 37 effective January 1, ~~2024~~ 2025 (a REAL ID driver's license).

i. No change.

605.10(3) ~~*Replacement upon attaining the age of 21*~~ *Electronic replacement.* ~~A licensee, upon attaining the age of 21, who is otherwise eligible for a driver's license is eligible to electronically apply for a replacement driver's license under this rule for the unexpired months of the license, regardless of whether the most recent issuance occurred electronically.~~ An applicant who meets the eligibility criteria may apply for electronic replacement of driver's license.

~~*a.* Except for the requirements in subparagraphs 605.15(6)*"a"*(1) and *"a"*(2), the licensee must meet the eligibility requirements listed in paragraph 605.15(6)*"a"* or 605.15(7)*"a"* to replace the license electronically in addition to the following criteria:~~

~~(1) The licensee must be at least 21 years old.~~

~~(2) The licensee must currently hold a driver's license marked "under 21" as provided in Iowa Code section 321.189.~~

~~*b.* Notwithstanding any other provision of this chapter to the contrary, the department may accept an electronic replacement application if the licensee seeks replacement of a special instruction permit or a license with a single "J" restriction accompanied by a "9" restriction.~~

a. Eligibility criteria include the following:

(1) The applicant is at least 14 years of age but not yet 70 years of age.

(2) The applicant's driver's license has not been expired for more than one year.

(3) The applicant's driver's license is eligible for reinstatement from a suspension that does not require an "H" or "I" restriction and all reinstatement criteria have been satisfied.

(4) The department's records show the applicant is a U.S. citizen and Iowa resident.

(5) The applicant's driver's license is not marked "valid without photo."

(6) The applicant is not subject to a pending request for reexamination.

(7) The applicant is not required to submit a medical report or vision report as a condition of licensure.

(8) The applicant is not seeking to change any of the following information as it appears on the applicant's driver's license:

1. Name.
2. Date of birth.
3. Class of license.

(9) The applicant is not subject to any of the following restrictions or endorsements:

E—No manual transmission equipped CMV

G—No driving when headlights required

H—Hazardous material

Q—No interstate or freeway driving

X—Hazardous material and tank

b. Notwithstanding any other provision of this subrule to the contrary, the department may accept an electronic replacement application if the license contains any of the following:

(1) A "J" restriction unless the restriction requires supervision of the driver by occupational therapy staff or is a specialized, nonstandard restriction.

(2) A "K" restriction that the applicant is electing to add or remove.

(3) An "H," "I," "S," "W" or "9" restriction if the restriction is no longer applicable or required.

(4) Expired privileges, endorsements or certifications, which will be removed at issuance.

c. The department may deny electronic replacement and require the applicant to appear in person for a replacement at a driver's license service center, including if it appears to the department that the applicant may have a physical or mental condition that may impair the applicant's ability to safely operate a motor vehicle, even if the applicant otherwise meets the criteria in paragraph 605.10(3)*"a."*

d. An applicant who has not previously been issued a driver's license that is compliant with the REAL ID Act of 2005, 49 U.S.C. Section 30301 note, implemented in 6 CFR Part 37 effective January 1, 2025 (a REAL ID driver's license), cannot request a REAL ID driver's license by electronic replacement.

This rule is intended to implement Iowa Code sections 307.12(1)*"j,"* 321.13, 321.189, 321.195 as amended by 2026 Iowa Acts, Senate File 2088, section 26, and 321.208; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.

ITEM 9. Amend subrule 605.14(2) as follows:

605.14(2) The fee to add a privilege to a driver's license is computed per year of new license validity as follows:

Noncommercial Class C (full privileges from a restricted Class C)	$4 per year
Motorized bicycle	$4 per year
~~Minor's restricted license~~	~~$4 per year~~
~~Special minor's restricted license~~	~~$4 per year~~
Motorcycle instruction permit	$2 per year
Motorcycle endorsement	$2 per year

ITEM 10. Amend rule 761—605.15(307,321) as follows:

761—605.15(307,321) License renewal.

605.15(1) No change.

605.15(2) A valid noncommercial license may be renewed within 180 days before the expiration date. The department for good cause may renew a noncommercial license earlier, except the department will not renew a REAL ID driver's license issued under rule ~~761—601.7(321)~~ 761—601.6(321) earlier than 180 days before the expiration date if such a renewal would result in noncompliance under 6 CFR Section 37.5(a) effective January 1, ~~2024~~ 2025.

605.15(3) If the licensee's current residential address, name or date of birth has changed since the previous license was issued, the licensee shall:

a. Notify the department to establish the current residential address.

b. Comply with the requirements of ~~761—subrule 601.5(5)~~ 761—subrule 601.4(5) to establish a name change.

c. Comply with the requirements of ~~761—subrule 601.5(6)~~ 761—subrule 601.4(6) to establish a change of date of birth.

605.15(4) A licensee who has not previously been issued a license that may be accepted for federal identification purposes under 6 CFR Part 37 effective January 1, ~~2024~~ 2025 (a REAL ID driver's license), and wishes to obtain a REAL ID driver's license upon renewal must comply with the requirements of rule ~~761—601.5(321)~~ 761—601.4(321) to obtain a REAL ID driver's license upon renewal.

605.15(5) A licensee who is a foreign national who is temporarily present in this state must provide documentation of lawful status as required by ~~761—subrule 601.5(4)~~ 761—subrule 601.4(4) at each renewal.

605.15(6) An applicant who meets the eligibility criteria may apply for electronic renewal of a noncommercial driver's license.

a. Eligibility criteria include the following:

(1) to (9) No change.

(10) The applicant is not subject to any of the following restrictions:

G—No driving when headlights required

J—Restrictions on the back of card

~~T—Medical report required at renewal~~

8—Special instruction permit

Q—No interstate or freeway driving

b. Notwithstanding any other provision of this subrule to the contrary, the department may accept an electronic renewal application if the license contains ~~a single "J" restriction accompanied by a "7" or "Y" restriction.~~ any of the following:

(1) A "J" restriction accompanied by a "7" or "Y" restriction or a "J" restriction accompanying an "H" or "X" endorsement that is being removed.

(2) An "H," "I," "S," "W" or "9" restriction if the restriction is no longer applicable or required.

(3) A motorcycle endorsement that the licensee is electing to remove.

(4) Expired privileges, endorsements or certifications, which will be removed at issuance.

c. The department may deny electronic renewal and require the applicant to apply in person for renewal at a driver's license service center, including if it appears to the department that the applicant may have a physical or mental condition that may impair the applicant's ability to safely operate a motor vehicle, even if the applicant otherwise meets the criteria in paragraph 605.15(6)*"a."*

d. An applicant who has not previously been issued a driver's license that is compliant with the REAL ID Act of 2005, 49 U.S.C. Section 30301 note, implemented in 6 CFR Part 37 effective January 1, ~~2024~~ 2025 (a REAL ID driver's license), cannot request a REAL ID driver's license by electronic renewal.

605.15(7) Subject to the requirements in paragraphs 605.15(6)*"c"* and *"d,"* an applicant who meets the following eligibility criteria may apply for electronic renewal of a commercial driver's license:

a. The applicant is otherwise eligible to renew a commercial driver's license and meets the same eligibility requirements for renewing a noncommercial driver's license listed in paragraph 605.15(6)*"a"* to renew the license electronically, except that numbered paragraph 605.15(6)*"a"*(9)"3" does not apply if the applicant is adding or removing the "K" restriction from the license at the time of renewal~~.~~ and numbered paragraph 605.15(6)*"a"*(9)"2" does not apply if the applicant is removing either endorsement under paragraph 605.15(7)*"b."*

b. The applicant is not subject to ~~any~~ either of the following ~~restrictions or~~ endorsements unless electing to remove either endorsement:

H—Hazardous material

X—Hazardous material and tank

c. The applicant does not also hold a valid commercial learner's permit under Iowa Code section 321.180(2) ~~as documented by restriction "3" on the commercial driver's license~~.

d. No change.

This rule is intended to implement Iowa Code sections 307.12(1)*"j,"* 321.186, 321.188 and 321.196; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.

ARC 0520D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to OWI and implied consent and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 620, "OWI and Implied Consent," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)"j," 321J.17 and 321J.17A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321J.17, 321J.17A and 321J.20.

Purpose and Summary

The purpose of the proposed amendments is to clarify that reports of installations and deinstallations of ignition interlock devices from providers are to be submitted to the Department electronically through the Department's new information technology (IT) system and provide greater flexibility in the issuance, as authorized by Iowa Code section 321J.20(6), of temporary restricted license extensions after an OWI license revocation period has ended.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director

800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 22, 2026 1:30 to 2 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 984 267 372#
September 23, 2026 9:30 to 10 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 774 147 492#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend paragraph **620.3(2)"b"** as follows:

b. Provide certification of installation of an approved ignition interlock device on each vehicle required pursuant to Iowa Code section 321J.20(2) unless proof of installation is provided to the department electronically by the ignition interlock device provider.

ITEM 2. Amend subrule 620.4(2) as follows:

620.4(2) *Electronic reporting.*

a. An approved ignition interlock device provider shall electronically report ~~a notice of violation occurrence and a final compliance report to the department in a manner approved by the department.~~, in a manner approved by the department, the following notices and reports:

(1) Notices of installation and deinstallation of ignition interlock devices.

(2) Notices of violation occurrences.

(3) Final compliance reports.

b. An approved ignition interlock provider shall retain all data, information and records associated with a notice of violation occurrence and final compliance report for a period of at least five years and make such data available to the department upon request.

ITEM 3. Amend rule 761—620.7(307,321,321J) as follows:

761—620.7(307,321,321J) Issuance of temporary restricted license after revocation period has expired. The department may automatically issue a temporary restricted license under Iowa Code section 321J.20(6) for six months from the end of the original revocation~~, unless~~ if a longer period of time is necessary to complete the requirements for driver's license reinstatement.

620.7(1) ~~An~~ For extensions beyond six months, an applicant for a temporary restricted license under this rule must demonstrate to the satisfaction of the department one of the following:

a. That a course for drinking drivers was not readily available to the person during the revocation period and the six-month period after the revocation and that the applicant has enrolled in a course for drinking drivers. The applicant must furnish the dates the class will begin and end.

b. and *c.* No change.

620.7(2) No change.

ARC 0517D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to nonoperator's identification and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 630, "Nonoperator's Identification," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 321.190 and 321.195.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.190 and 321.195 and 2026 Iowa Acts, Senate File 2088.

Purpose and Summary

The purpose of the proposed amendments is to align the rules with 2026 Iowa Acts, Senate File 2088, sections 15 and 16, which authorize the Department to provide electronic nonoperator's identification card renewal and replacement services through the Department's new information technology (IT) system. The amendments also make corresponding technical and citation changes throughout the chapter.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 10, 2026. A public hearing was held on the following date(s):

- July 7, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 22, 2026 8:30 to 9 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 298 454 742#
September 22, 2026 3 to 3:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 648 743 567#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend subrule **630.1(2)**, definition of "Temporarily present in this state," as follows:

"Temporarily present in this state" means a person who has temporary lawful status as defined in 6 CFR Section 37.3 effective January 1, ~~2024~~ 2025.

ITEM 2. Amend rule 761—630.2(321), catchwords, as follows:

761—630.2(321) Application, ~~and~~ issuance and renewal.

ITEM 3. Amend subrule 630.2(1) as follows:

630.2(1) An applicant for a nonoperator's identification card ~~is to complete and sign an application form at a driver's license service center. The signature shall be without qualification and contain only the applicant's usual signature without any other titles, characters or symbols~~ or a current cardholder may provide the department with emergency contact information in accordance with rule 761—601.3(321) and is otherwise subject to the application, proof, authentication and consent requirements in 761—Chapter 601.

ITEM 4. Rescind subrule **630.2(2)**.

ITEM 5. Amend subrule 630.2(5) as follows:

630.2(5) No issuance fee is to be charged for a person whose license has been suspended for incapability pursuant to rule ~~761—615.14(321)~~ 761—615.7(321), who has been denied further licensing in lieu of a suspension for incapability pursuant to rule ~~761—615.4(321)~~ 761—615.7(321), or who voluntarily surrenders the person's license in lieu of suspension for incapability pursuant to rule ~~761—615.14(321)~~ 761—615.7(321).

ITEM 6. Amend subrule 630.2(6) as follows:

630.2(6) An applicant who is a foreign national who is temporarily present in this state must provide documentation of lawful status as required by ~~761—subrule 601.5(4)~~ 761—subrule 601.4(4) at each renewal.

ITEM 7. Amend subrule 630.2(7) as follows:

630.2(7) A person who seeks a nonoperator's identification card that is compliant with the REAL ID Act of 2005, 49 U.S.C. Section 30301 note, as implemented in 6 CFR Part 37 ("REAL ID nonoperator's identification card") effective January 1, ~~2024~~ 2025, must meet and comply with all lawful requirements for an Iowa nonoperator's identification card and must also meet and comply with all application and documentation requirements set forth at 6 CFR Part 37, including but not limited to documentation of identity, date of birth, social security number, address of principal residence and evidence of lawful status in the United States. Documents and information provided will be verified pursuant to 6 CFR Section 37.13. An applicant for a REAL ID nonoperator's identification card is subject to a mandatory facial image capture that meets the requirements of 6 CFR Section 37.11(a). A REAL ID nonoperator's identification card may not be issued, reissued or renewed except as permitted in 6 CFR Part 37 and may not be issued, reissued or renewed by any procedure, in any circumstance, to any person or for any term prohibited under 6 CFR Part 37. The information on the front of any REAL ID nonoperator's identification card must include all information and markings required by 6 CFR Section 37.17. Nothing in this subrule requires a person to obtain a REAL ID nonoperator's identification card.

ITEM 8. Amend subrule 630.2(9) as follows:

630.2(9) A nonoperator's identification card that is not issued as a REAL ID nonoperator's identification card as described in subrule ~~630.2(7)~~ 630.2(6) is to include the following statement on the face of the card: "not for REAL ID Act purposes" as required by 6 CFR Section 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

ITEM 9. Amend subrule 630.2(11) as follows:

630.2(11) An applicant for a nonoperator's identification card is to surrender all other driver's licenses and nonoperator's identification cards, other than a temporary permit held under Iowa Code section 321.181. This includes any driver's licenses or nonoperator's identification cards issued by a state other than Iowa or a foreign jurisdiction unless otherwise provided in a letter of understanding or other written memorialization of reciprocity or understanding. An applicant who renews a nonoperator's identification card electronically pursuant to subrule ~~630.2(10)~~ 630.2(9) is to destroy the previous nonoperator's identification card upon receipt of a renewed nonoperator's identification card.

ITEM 10. Renumber subrules **630.2(3)** to **630.2(11)** as **630.2(2)** to **630.2(10)**.

ITEM 11. Amend subrule 630.3(1) as follows:

630.3(1) *Lost, stolen or destroyed card.* To replace a nonoperator's identification card that is lost, stolen or destroyed, the cardholder shall provide the cardholder's full legal name, date of birth and social security number, all of which must be verified by the department, and pay the statutory replacement fee. A cardholder subject to ~~761—paragraph 601.5(2)"b"~~ 761—paragraph 601.4(2)*"b"* is to provide the applicant's U.S. Customs and Immigration Services number, which will be verified by the department. The department may investigate or require additional information as may be reasonably necessary to determine that the cardholder's identity matches the identity of record and will not issue the replacement card if the cardholder's identity is questionable, cannot be determined or otherwise does not match the identity of record. If the cardholder's current residential address, name

or date of birth has changed since the previous card was issued, the cardholder is to comply with ~~761—subrule 605.11(2)~~ 761—subrule 605.10(2).

ITEM 12. Amend subrule 630.3(2) as follows:

630.3(2) *Voluntary replacement.* To voluntarily replace a nonoperator's identification card, the cardholder is to surrender to the department the card to be replaced. The applicable reasons a card may be voluntarily replaced and any additional conditions on supporting documentation required are the same as those listed in ~~761—paragraphs 605.11(2)"*a*" through "*j*."~~ 761—subrule 605.10(2).

ITEM 13. Rescind subrule 630.3(3) and adopt the following **new** subrule in lieu thereof:

630.3(3) *Electronic replacement.* An applicant who meets the applicable eligibility criteria set forth in 761—subrule 605.10(3) may apply for electronic replacement of a nonoperator's identification card. The applicable reasons a card may be replaced by electronic application and any additional conditions or supporting documentation required are the same as those listed in 761—subrule 605.10(3).

ITEM 14. Amend **761—Chapter 630**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.13, 321.181, 321.189, 321.190 as amended by 2026 Iowa Acts, Senate File 2088, section 15, 321.195 as amended by 2026 Iowa Acts, Senate File 2088, section 16, and 321.216 through 321.216C; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.

ARC 0514D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to financial responsibility and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 640, "Financial Responsibility," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321A.2.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.266, 321.271, 321A.4 and 321A.5 and 2026 Iowa Acts, Senate File 2088.

Purpose and Summary

The purpose of the proposed amendment is to conform with 2026 Iowa Acts, Senate File 2088, which requires accident reports to be submitted to the Department electronically. Electronic submission of accident reports is already possible through the Department's existing information technology (IT) system and the functionality will also be built into the Department's new IT system.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

September 23, 2026 1 to 1:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 318 425 433#
September 23, 2026 3:30 to 4 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 494 069 974#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 761—640.3(321,321A) as follows:

761—640.3(321,321A) Accident reporting requirements. Accident reporting requirements are specified in Iowa Code section 321.266 and on Form 433002, "Iowa Accident Report Form," which is available from law enforcement officers, driver's license service centers, or the motor vehicle division

at the address in subrule 640.1(3). Accident reports are to be submitted to the department in an electronic format accessible through or connected with the department's records system.

This rule is intended to implement Iowa Code sections 321.266, 321.269 ~~and~~, 321.271 as amended by 2026 Iowa Acts, Senate File 2088, section 10, 321A.4, and 321A.5 as amended by 2026 Iowa Acts, Senate File 2088, section 11.

ARC 0539D

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency

Rulemaking related to provider enrollment

The Department of Health and Human Services hereby amends Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapter 249A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 249A.

Purpose and Summary

This rulemaking amends subrule 79.15(12) by changing the parameters for Iowa Medicaid provider validation and termination. The current subrule indicates that Iowa Medicaid providers that have not submitted a claim in the past 24 months will be sent a notice asking if the provider wishes to continue participation in the Medicaid program. Providers that fail to respond within 30 calendar days are terminated from participation.

As amended, the subrule states that providers that have not submitted a claim within the previous 12 months will be deactivated from participation in the Iowa Medicaid program. Deactivated providers may request reactivation by contacting the Department and meeting all applicable requirements. Providers that remain deactivated and do not submit any claims for 24 consecutive months following deactivation will be terminated from participation.

Reason for Adoption of Rulemaking Without Prior Notice and Opportunity for Public Participation

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary or impractical because emergency adoption was approved by the Administrative Rules Review Committee.

In compliance with Iowa Code section 17A.4(3)"a," the Administrative Rules Review Committee at its August 10, 2026, meeting reviewed the Department's determination and this rulemaking and approved the emergency adoption.

Earlier adoption of this rulemaking will allow the Department to promptly begin its provider revalidation project, described below.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)"b"(1)(b), the Department also finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective on August 10, 2026, because the Centers for Medicare and Medicaid Services has called upon Governor Kim Reynolds and Iowa Medicaid Director Lee Grossman to undertake a "swift provider revalidation," as well as to submit a comprehensive two-year provider revalidation strategy for high-risk providers. The changes in this rulemaking benefit Iowans by facilitating Medicaid provider integrity and helping to combat fraud and abuse, thereby fostering fiscal responsibility.

Adoption of Rulemaking

This rulemaking was adopted by the Department on July 28, 2026.

Concurrent Publication of Notice of Intended Action

In addition to its adoption on an emergency basis, this rulemaking has been initiated through the normal rulemaking process and is published herein under Notice of Intended Action as **ARC 0538D** to allow for public comment.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

This rulemaking may impact small business health care providers that have not submitted a claim to Iowa Medicaid in the last 12 months. Such providers may be deactivated from participation with Iowa Medicaid. This rulemaking provides an avenue for such providers to reactivate their participation.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking became effective on August 10, 2026.

The following rulemaking action is adopted:

ITEM 1. Amend subrule 79.15(12) as follows:

79.15(12) Inactivity and provider status. A provider that has not submitted a claim ~~in~~ within the last ~~24~~ 12 months will be ~~sent a notice asking if the provider wishes to continue~~ deactivated from participation in Iowa Medicaid. ~~A provider that fails to reply to the notice within 30 calendar days of the date on the notice will be terminated as a provider. Providers that do~~ A deactivated provider may request reactivation by contacting Iowa Medicaid and meeting all applicable re-enrollment requirements pursuant to this rule. A provider that remains inactive and does not submit any claims ~~in 48~~ for 24 consecutive months following deactivation will be terminated as ~~providers~~ a provider without further notification.

[Filed Emergency 8/10/26, effective 8/10/26]
[Published 9/2/26]
EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/2/26.

ARC 0554D

REGENTS BOARD[681]

Adopted and Filed Emergency

Rulemaking related to uniform rules on agency procedure

The Board of Regents hereby rescinds Chapter 17, "Public Records and Fair Information Practices," and adopts new Chapter 2505, "Fair Information Practices," and Chapter 2506, "Contested Cases," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapters 17A and 262.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, Senate File 2463.

Purpose and Summary

This rulemaking implements the transition to the statewide Uniform Rules on Agency Procedure as mandated by 2026 Iowa Acts, Senate File 2463. The Board has adopted the majority of the Uniform Rules on Agency Procedure to ensure consistency across the State.

Pursuant to Senate File 2463, section 5, the Board has determined that the following modifications are necessary.

Item 1: Chapter 17, "Public Records and Fair Information Practices."

The Board is required to maintain specific information policies regarding personally identifiable information (PII) pursuant to Iowa Code section 22.11. The Board is rescinding the entirety of Chapter 17 and simultaneously adopting the mandatory PII provisions within the new Chapter 2505. This ensures all fair information practices are centralized and compliant with statutory requirements.

Item 2: Adopting Chapter 2505, "Fair Information Practices."

Modification 1: Paragraphs 2505.3(7)"b," regarding fees and costs, and 2505.3(7)"c," regarding advance payment.

Justification 1: The Board is opting out of the uniform three-hour free labor threshold and the $250 advance payment. These modifications are necessary because the universities and Board Office manage a high volume of complex records requests that often require extensive manual searches and highly technical confidentiality reviews by staff and legal counsel. In many instances, responsive records are often maintained across multiple colleges, departments, and offices, requiring coordination among numerous custodians and significantly increasing the time and effort needed to fulfill requests. Requiring three hours of staff or attorney labor at no charge would create a significant unfunded mandate and materially increase the administrative workload. The modified approach of providing 30 minutes of labor at no cost and requiring advance payment for estimated fees exceeding $25 is a reasonable extension of the Board's existing practice. The $25 advance payment threshold is vital to ensure the Board can recover the actual costs of labor and to prevent the expenditure of significant staff time on requests that are later abandoned or left unpaid.

Modification 2: Rules 681—2505.9(17A,22) and 681—2505.10(22), regarding PII.

Justification 2: The Board is reintegrating the descriptions of PII systems, formerly located in Chapter 17. This reintegration is necessary to fulfill the requirements of Iowa Code section 22.11, which mandates that State agencies describe the nature and extent of the PII State agencies collect. This modification ensures all fair information practices are centralized in a single chapter.

Item 3: Adopting Chapter 2506, "Contested Cases."

Modification: Rules 681—2506.27(17A) and 681—2506.32(17A), regarding appeals and review.

Justification: The Board is opting out of the uniform appeals procedure for contested cases to allow for the established appellate process under which matters are first reviewed by the university president before being appealed to the Board for final agency action.

Reason for Adoption of Rulemaking Without Prior Notice and Opportunity for Public Participation

Pursuant to Iowa Code section 17A.4(3), the Board finds that notice and public participation are unnecessary or impractical because emergency adoption was approved by the Administrative Rules Review Committee.

In compliance with Iowa Code section 17A.4(3)"a," the Administrative Rules Review Committee at its August 10, 2026, meeting reviewed the Board's determination and this rulemaking and approved the emergency adoption.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)"b"(1)(b), the Board also finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective on August 13, 2026, since immediate implementation is necessary to prevent a gap in the Board's regulatory framework. This confers a benefit on the public by ensuring that essential rules on agency procedure remain in effect following the statutory rescission of the Board's current Uniform Rules on Agency Procedure.

Adoption of Rulemaking

This rulemaking was adopted by the Board on July 29, 2026.

Concurrent Publication of Notice of Intended Action

In addition to its adoption on an emergency basis, this rulemaking has been initiated through the normal rulemaking process and is published herein under Notice of Intended Action as **ARC 0546D** to allow for public comment.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking became effective on August 13, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind and reserve **681—Chapter 17**.

ITEM 2. Adopt the following **new** 681—Chapter 2505:

CHAPTER 2505
FAIR INFORMATION PRACTICES

The Uniform Rules on Agency Procedure, 7—Chapters 2500 through 2506, are rules generally applicable to agencies pursuant to Iowa Code section 17A.24. Additions, exceptions, or amendments to the corresponding chapter are below.

681—2505.1(17A,22) Definitions. As used in this chapter:

"Agency" means the state board of regents (board) and the institutions it governs—the State University of Iowa, Iowa State University of Science and Technology, and the University of Northern Iowa.

"Custodian" means the official delegated authority by the agency to release records or that official's designee. Custodians are as follows: for the board, the executive director; for the State University of Iowa, the institutional secretary; for Iowa State University of Science and Technology, the institutional secretary; and for the University of Northern Iowa, the institutional secretary.

681—2505.3(17A,22) Requests for access to records.

2505.3(7) *Fees.*

b. Fees and costs. The agency may charge for the actual costs of producing public records. These charges may include the actual cost of making photocopies, the actual cost of media necessary to convey electronic copies of public records, and the actual costs of mailing public records. Pricing schedules for these actual costs will be prominently posted on the agency's website. The agency may also charge for the expense associated with supervising and searching for public records. These hourly charges will be based on the actual hourly rate of the person performing the task. The agency will ensure that the employee rate charged is as low as possible based on the circumstances. The agency may impose hourly charges only after the first 30 minutes of labor, which will be provided at no cost to the requester. For any additional review by the agency to address questions of confidentiality, the agency may charge the requestor the actual hourly rate of the attorney performing the review, although the first 30 minutes of the attorney's time will be provided at no cost to the requester.

c. Advance payment. When the estimated total fee exceeds $25, the agency may require an advance payment from the requester to cover all or part of the estimated fee before proceeding with the work of gathering and reviewing potentially relevant records. If a requester has an unpaid balance from a previous records request, the agency may require the requester to pay both the unpaid balance and the current estimate, regardless of value, before proceeding with the review of public records.

681—2505.9(17A,22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information that is collected, maintained, and retrieved by the agency by personal identifier in record systems. As used in this rule, "record system" means any group of records, under the control of the agency, from which a record may be retrieved by a personal identifier, such as the name of an individual, number, symbol, or other unique retriever assigned to an individual. The record systems maintained by the agency are as follows.

2505.9(1) *Board.* Personnel and employment management information systems. The above-listed records system is collected pursuant to the authority of Iowa Code chapter 262. Storage is in paper form, and information cannot be matched, collated and compared.

2505.9(2) *State University of Iowa.*

a. Human capital management systems covering payroll, benefits, time and attendance tracking and other human resources functions.

b. Job applicant tracking systems for staff and faculty.

c. Compliance, training, and human resources case management systems.

d. Learning management, instructional technology, assessment, testing, proctoring, and course evaluation systems involving both employees and students.

e. Research proposal, award, campus data, and administration systems.

f. Library records systems.

g. Student records, registration, degree audit, academic advising, planning, tutoring, retention, and case management systems, including student conduct, health, counseling, and wellness systems.

h. Budget and planning system.

i. Student admissions, recruitment, enrollment management, scholarship and financial aid systems.

j. Patient and health information systems.

k. Incident reporting systems.

l. Purchasing, accounting, and travel management systems.

m. Construction/jobs management/facilities systems.

n. Event ticket sales/registration systems.

o. Motor pool management system.

p. Housing, dining, residence life, student activities, recreation, and student engagement systems.

q. Career services, experiential learning, field placement, internship, licensure, and professional preparation systems.

r. Police information system.

s. Credit card and point-of-sale systems.

t. Customer relationship management systems.

u. Parking permit/registration systems.

v. Athletic department records systems.

w. Student legal services document management systems.

All of the above-listed records are collected pursuant to the authority of Iowa Code chapters 262 through 263A and 271. All are stored in electronic form. Supplementary records in these categories are stored in paper form or on microfilm or microfiche. Information from systems listed in paragraphs 2505.9(2)*"a"* through *"d," "g,"* and *"p"* through *"q"* can be matched, collated, and compared. Information in the remaining categories cannot be matched, collated, and compared.

2505.9(3) *Iowa State University of Science and Technology.*

a. Enterprise resource planning system, which includes human capital management, finance, and student records.

b. Learning management systems.

c. Research proposal, award, data storage, and administration systems.

d. Professional development and continuing education systems.

e. Veterinary client information management systems.

f. Veterinary diagnostic laboratory systems.

g. Athletic department records systems.

h. Library/archives records systems.

i. Health, counseling, pharmacy, and wellness systems.

j. Housing and dining management systems.

k. Police records system.

l. Parking systems registration information.

m. Event management, registration, and ticket sales systems.

n. Workplace productivity, collaboration, and communication systems.

o. Project/construction management systems.

p. Facilities and maintenance information systems.

q. Point-of-sale, billing, payment, and credit card processing systems.

r. Customer relationship management system.

s. Applicant, scholarship, student discipline, student scheduling, and career services information management systems.

t. Student scheduling systems.

u. Motor pool and transportation reservation and management system.

v. Travel management systems.

w. Student scheduling system.

x. Legal document management systems.

y. Incident reporting systems.

All of the above-listed records are collected pursuant to the authority of Iowa Code chapters 262 through 262B and 266. All are stored in electronic form. Duplicates or supplementary information of the electronically stored information may be found in some cases in hard copy or on microfilm or microfiche. Information from systems listed in paragraphs 2505.9(3)*"a"* through *"d," "g," "j," "m," "p," "q," "s," "t," "v," "w,"* and *"y"* can be matched, collated, and compared with other records systems, primarily with the enterprise resource planning system (more information is contained in paragraph 2505.9(3)*"a"*). The remaining categories cannot be matched, collated, or compared.

2505.9(4) *University of Northern Iowa.*

a. Academic achievement center records systems.
b. Academic advising/orientation information systems.
c. Academic computing center systems.
d. Accounts receivable/payable systems.
e. Admissions information systems.
f. Affirmative action records systems.
g. Alumni foundation/development systems.
h. Architect/planning/engineering records systems.
i. Athletic department records systems.
j. Budget management records systems.
k. College of education/school of business advising center record systems.
l. Continuing education/correspondence/extension records systems.
m. Financial aid information systems.
n. Grants and contracts records systems.
o. Housing/dining systems.
p. Library/archives records systems.
q. Human capital management/budget/payroll/learning management information systems.
r. Facilities and maintenance information systems.
s. Purchasing/inventory systems.
t. School of business division of external services records systems.
u. Student information systems (student records).
v. Student union/student activities records systems.
w. *Academic affairs information systems #.
x. *Ancillary services records systems.
y. *Counseling/health/pharmacy systems.
z. *Deans/department heads/faculty advisors record systems.
aa. *Handicapped services systems #.
ab. *Institutional officials records systems #.
ac. *Institutional research records systems, including social/behavioral research center.
ad. *Operations record systems.
ae. *Placement/career center/cooperative education systems.
af. *Public safety records systems.
ag. *Small business assistance center (hazardous waste) record systems.
ah. *Special events record systems.
ai. *Speech/hearing/reading clinics records systems #.
aj. *Student clinical experience systems #.
ak. *United faculty records systems #.
al. *UNISA records systems #.
am. Motor pool and transportation reservation and management system.

All of the above-listed records systems are collected pursuant to the authority of Iowa Code chapters 262, 262A, 265 and 268. Means of storage include electronic unless otherwise noted. Moreover, some records may also be stored in micrographic or paper forms. All or parts of information in each system may be matched, collated, and compared, except for those systems noted by an asterisk (*).

Storage in paper or micrographic form only.

681—2505.10(22) Other groups of records. This rule describes agency records not maintained in a record system. These records are routinely available to the public but may contain confidential information. In addition, some records may contain information about individuals. Unless otherwise noted, these records are available on the board's website or at the board office and are not retrieved by personal identifier.

2505.10(1) Rulemaking. Rulemaking records may contain information about individuals making written or oral comments on proposed rules pursuant to Iowa Code section 17A.4.

2505.10(2) Board records. Agendas, minutes, and materials presented to the board are available, except for records concerning closed sessions that are confidential under Iowa Code section 21.5 and other provisions of law. Board records contain information about people who participate in meetings. This information is collected pursuant to Iowa Code section 21.3.

2505.10(3) Publications. News releases, annual reports, project reports, agency newsletters, etc., are available through the institutions' offices for public information. Brochures describing various agency programs are available at local offices of the agency.

2505.10(4) Statistical reports. Periodic reports for various agency programs are available through the institutions' offices for public information.

2505.10(5) Grants. Records on persons receiving grants are available through the institutions' offices for public information. The records may contain information about employees of a grantee.

2505.10(6) Published materials. The agency uses many legal and technical publications in its work. The public may inspect these publications upon request. Some of these materials may be protected by copyright law.

2505.10(7) Policy manuals. The agency employees' manual, containing the policies and procedures for programs administered by the agency, is available in every office of the agency. Policy manuals do not contain information about individuals.

2505.10(8) All other records that are not exempted from disclosure by law. The agency maintains a variety of records that do not generally contain information pertaining to named individuals.

All data processing systems used by the agency permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

ITEM 3. Adopt the following **new** 681—Chapter 2506:

CHAPTER 2506
CONTESTED CASES

The Uniform Rules on Agency Procedure, 7—Chapters 2500 through 2506, are rules generally applicable to agencies pursuant to Iowa Code section 17A.24. Additions, exceptions, or amendments to the corresponding chapter are below.

681—2506.27(17A) Appeals and review—actions by regents institution.

2506.27(1) *Appeal by party.* Any adversely affected party may appeal a proposed decision in a case involving an appeal of action or proposed action by a regents institution to the president of the regents institution within 20 days after issuance of the proposed decision.

2506.27(2) *Review.* The president of the regents institution may initiate review of a proposed decision on the president's own motion at any time within 20 days following the issuance of such decision.

2506.27(3) *Notice of appeal.* An appeal of a proposed decision is initiated by filing a timely notice of appeal with the president of the regents institution. The notice of appeal is to be signed by the appealing party or a representative of that party and contain a certificate of service. The notice will specify:

a. The parties initiating the appeal;

b. The proposed decision or order appealed from;

c. The specific findings or conclusions to which exception is taken and any other exceptions to the decision or order;

d. The relief sought; and

e. The grounds for relief.

2506.27(4) *Requests to present additional evidence.* A party may request to submit additional evidence. The request must be filed with the notice of appeal, if by an appealing party, or within ten days of service of the notice of appeal, if by a nonappealing party. The president of the regents institution will take additional evidence only if the party establishes that the evidence is material, that good cause existed for it not being presented at the hearing, and that the party has not waived the right to present evidence. The president of the regents institution may either remand a case to the presiding officer to take additional evidence or may preside at the taking of additional evidence.

2506.27(5) *Scheduling.* The president of the regents institution will issue a schedule for consideration of the appeal.

2506.27(6) *Briefs and arguments.* Unless otherwise ordered, within 20 days of the notice of appeal or order for review, each appealing party may file exceptions and briefs. Within 20 days thereafter, any party may file a responsive brief. Briefs will include any applicable legal authority and specify relevant portions of the record in that proceeding. Written requests to present oral arguments will be filed with the briefs. The president of the regents institution may resolve the appeal on the briefs or provide an opportunity for oral argument. The president of the regents institution may shorten or extend the briefing period as appropriate.

2506.27(7) *Appeals to the board.* Rule 681—2506.32(17A) contains procedures to appeal the president of the regents institution's decision to the board.

681—2506.32(17A) Appeals to the board. This rule incorporates rule 681—2506.27(17A) with the following exceptions and amendments. More information is contained in rule 681—2506.27(17A).

2506.32(1) *Appeal by party.* Any adversely affected party may appeal the president of the regents institution's decision to the board within ten days after issuance of the decision. In the case of an appeal of initial action by the board, any adversely affected party may appeal the proposed order of a presiding officer to the board within 20 days after issuance of the proposed decision.

2506.32(2) *Review.* The board may initiate review of the president of the regents institution's decision or a proposed decision involving an appeal of board action on its own motion at any time within 20 days following the issuance of such a decision.

2506.32(3) *Notice of appeal.* An appeal of a proposed decision is initiated by filing a timely notice of appeal with the board. In cases of appeals of action by an institution, a copy of the notice shall be sent to the president of the regents institution. The notice of appeal is to be signed by the appealing party or a representative of that party and contain a certificate of service. The notice will specify:

a. The parties initiating the appeal;

b. The proposed decision or order appealed from;

c. The specific findings or conclusions to which exception is taken and any other exceptions to the decision or order;

d. The relief sought; and

e. The grounds for relief.

2506.32(4) *Requests to present additional evidence.* In a case that has not been reviewed by a president of a regents institution, a party may request to submit additional evidence. The request must be filed with the notice of appeal, if by an appealing party, or within ten days of service of the notice of appeal, if by a nonappealing party. The board will take additional evidence only if the party establishes that the evidence is material, that good cause existed for it not being presented at the hearing, and that the party has not waived the right to present the evidence. The board, or its executive director, may remand a case to the president of the regents institution for further hearing or the board may preside at the taking of additional evidence.

2506.32(5) *Scheduling.* The board, or its executive director, will issue a schedule for consideration of the appeal.

2506.32(6) *Briefs and arguments.* Unless otherwise ordered, within 20 days of the notice of appeal or order for review, each appealing party may file exceptions and briefs. Within 20 days thereafter, any party may file a responsive brief. Briefs will include any applicable legal authority and specify relevant portions of the record in that proceeding. Written requests to present oral arguments will be filed with the briefs. The board may resolve the appeal on the briefs or provide an opportunity for oral argument. The board, or its executive director, may shorten or extend the briefing period as appropriate.

[Filed Emergency 8/13/26, effective 8/13/26]
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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/2/26.

ARC 0545D

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

Adopted and Filed Emergency

Rulemaking related to subsidence

The Soil Conservation and Water Quality Division hereby amends Chapter 60, "Minerals Program," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in 2026 Iowa Acts, House File 2765.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, House File 2765.

Purpose and Summary

This rulemaking establishes a notification and reclamation process that the Division will use in the event of a subsidence that occurs on public land or in a public right-of-way.

Reason for Adoption of Rulemaking Without Prior Notice and Opportunity for Public Participation

Pursuant to Iowa Code section 17A.4(3), the Division finds that notice and public participation are unnecessary or impractical because statute so provides. 2026 Iowa Acts, House File 2765, requires the Division to adopt emergency rules to implement the legislation within 60 business days of the effective date.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)"b"(1)(a), the Division also finds that the normal effective date of this rulemaking, 35 days after publication, should be waived and the rulemaking made effective on August 12, 2026, because the legislation described above requires the rulemaking within the specified time period.

Adoption of Rulemaking

This rulemaking was adopted by the Division on August 10, 2026.

Concurrent Publication of Notice of Intended Action

In addition to its adoption on an emergency basis, this rulemaking has been initiated through the normal rulemaking process and is published herein under Notice of Intended Action as **ARC 0544D** to allow for public comment.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Division for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking became effective on August 12, 2026.

The following rulemaking action is adopted:

ITEM 1. Adopt the following **new** rule 27—60.19(208):

27—60.19(208) Subsidence.

60.19(1) *Notification.* An operator of a registered mine site shall notify the division within 48 hours of discovery of a subsidence. Upon notification to the division, the operator shall submit an initial assessment of the subsidence to the division within 14 business days. An initial assessment must include but is not limited to the estimated depth and width of the subsidence, a map of the surface area affected, and a map of the underground collapse.

60.19(2) *Subsidence repair plans.* Following an initial assessment, an operator shall submit a subsidence repair plan to the division within a time period determined by the division. In consultation with the division, the plan shall include, to the extent necessary, all of the following:

a. A scaled and georeferenced map indicating the location of the subsidence.

b. A detailed description of the proposed methods and steps to address and repair any damage caused by the subsidence.

c. A proposed timeline outlining the phases and expected duration of the repair.

d. Written approval of plans, observations, and completion of the repair by a licensed professional engineer or an experienced and qualified mining professional to the satisfaction of the division.

[Filed Emergency 8/12/26, effective 8/12/26]
[Published 9/2/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/2/26.

ARC 0555D

ATTORNEY GENERAL[61]

Adopted and Filed

Rulemaking related to national opioid settlement distribution

The Attorney General hereby adopts new Chapter 39, "National Opioid Settlement Distribution," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapter 13 and section 12.51.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2025 Iowa Acts, House File 1038, division I.

Purpose and Summary

This rulemaking is intended to implement 2025 Iowa Acts, House File 1038, division I, by adopting rules to outline the Office of the Attorney General's responsibilities in the distribution of funds from the State of Iowa's Opioid Settlement Fund.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on June 10, 2026, as **ARC 0342D**. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Attorney General on August 6, 2026.

Fiscal Impact

This rulemaking has a fiscal impact to the State of Iowa. The financial impact of this rulemaking will be the distribution of millions of dollars to combat the opioid crisis in the State of Iowa. How this funding will be utilized remains to be determined, but the Office of the Attorney General is focused on providing funding to impactful programs that will help people dealing with this crisis statewide, with the program lasting until June 30, 2030. There will be administrative costs incurred by the Office of the Attorney General in administering the disbursement of funds. The exact costs are not easily identifiable, but these costs have been provided for in Iowa Code section 12.51(2)"b"(6).

Jobs Impact

The distribution of opioid settlement dollars is likely to create new jobs across multiple industries in the State. While final allocations have not yet been determined, examples of those groups that could benefit from investment and see job growth include but are not limited to nurses, social workers, first responders, counselors, construction, telehealth, and more.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Attorney General for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on October 7, 2026.

The following rulemaking action is adopted:

ITEM 1. Adopt the following **new** 61—Chapter 39:

CHAPTER 39
NATIONAL OPIOID SETTLEMENT DISTRIBUTION

61—39.1(12) Definitions. As used in this chapter, the following definitions apply:

"Applicant" means a person or entity that applies for funding from the department.

"Application process" means the set of rules, requirements, and procedures outlined in the notice of funding opportunity on the department's website that applicants must follow to apply for opioid settlement funding.

"Department" means the department of justice and the Iowa attorney general's office.

"Eligible projects" means projects that fall within the national opioid settlement's listed core strategies and approved uses.

"Fund" means the state of Iowa's opioid settlement fund as described in Iowa Code section 12.51.

"Intended outcomes" means the specific goals, impacts, or measurable results that a proposed project or program aims to achieve. These outcomes include but are not limited to prevention of opioid-related deaths, reduction of opioid misuse, and increased access to opioid-use disorder medications and services.

"Notice of funding opportunity" means the department's solicitation for proposals for the use of opioid settlement dollars to support eligible projects.

"Request" means applications for funding submitted to the department by applicants.

61—39.2(12) Funding.

39.2(1) *Requests.* Requests containing eligible projects shall be submitted to the department in accordance with the notice of funding opportunity and application process. Each request shall include the intended outcomes of the project or projects. The department may request additional information not listed on the notice of funding opportunity or application process from the applicants as required.

39.2(2) *Awards.* The department reserves the right to award funds to applicants, partially award funds to applicants, or withhold distribution of opioid settlement funds from applicants.

39.2(3) *Individual contract requirement.* Any applicant selected as a potential recipient of opioid settlement funds must execute an agreement with the department to complete the award. Any award of opioid settlement funds will be subject to any terms and conditions the department sets forth in that agreement. The failure to agree to contractual terms will result in no award.

39.2(4) *Notification.* The department is not required to notify each applicant regarding the approval or denial of the applicant's funding request.

61—39.3(12) Reporting and evaluation. Each applicant selected for an award is required to submit reports and other performance indicators following the instructions and methods requested by the department. At a minimum, each applicant selected for an award is required to submit an annual report on July 1 of each year that specifies whether the moneys awarded have achieved or are achieving the intended outcomes.

These rules are intended to implement Iowa Code section 12.51.

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ARC 0556D

INSPECTIONS AND APPEALS DEPARTMENT[481]

Adopted and Filed

Rulemaking related to behavioral health professionals licensing

The Department of Inspections, Appeals, and Licensing hereby amends Chapter 880, "Behavioral Health Professionals Licensing," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapters 147H, 154C and 154D and sections 147I.1, 272C.3 and 272C.10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 17A, 147, 147H, 147I, 154C, 154D and 272C.

Purpose and Summary

The amendments define the requirements for participation in the Professional Counselors Licensure Compact, commonly known as the Counseling Compact; define participation in the Social Work Licensure Compact; add background check requirements for all existing mental health counselor license holders; add background check requirements for all social workers; add background check requirements during license reactivation when a license has been inactive for two or more years and the licensee cannot provide evidence of active practice in another state; add a fee for the issuance of a compact privilege to practice in Iowa; and waive the compact privilege fee for an active duty military member or spouse.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on April 29, 2026, as **ARC 0231D**. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Behavioral Health Professionals Board on July 28, 2026.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on October 7, 2026.

The following rulemaking action is adopted:

ITEM 1. Amend rule 481—880.1(148,154B,154C,154D), introductory paragraph, as follows:

481—880.1(148,154B,154C,154D) Definitions. For purposes of these rules, the following definitions shall apply:

ITEM 2. Adopt the following **new** definitions of "DCI," "Department," "FBI" and "NACES" in rule **481—880.1(148,154B,154C,154D)**:

"DCI" means the division of criminal investigation.

"Department" means the department of inspections, appeals, and licensing.

"FBI" means the Federal Bureau of Investigation.

"NACES" means the National Association of Credential Evaluation Services.

ITEM 3. Amend paragraph **880.2(1)"b"** as follows:

b. The applicant for a mental health counseling license shall submit ~~two completed fingerprint cards and a signed waiver form~~ required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check by the ~~Iowa division of criminal investigation (~~DCI~~)~~ and the ~~Federal Bureau of Investigation (~~FBI~~)~~. The cost of the criminal history background check by the DCI and the FBI shall be assessed to the applicant.

ITEM 4. Reletter paragraphs **880.2(7)"b"** to **880.2(7)"g"** as **880.2(7)"c"** to **880.2(7)"h"**.

ITEM 5. Adopt the following **new** paragraph **880.2(7)"b"**:

b. The applicant for a social worker license shall submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check by the DCI and the FBI. The cost of the criminal history background check by the DCI and the FBI shall be assessed to the applicant.

ITEM 6. Amend relettered paragraph **880.2(7)"c"** as follows:

c. No application will be considered by the board until official copies of academic transcripts have been received by the board except as provided in paragraph ~~880.2(7)*"g."*~~ 880.2(7)*"h."*

ITEM 7. Amend relettered paragraph **880.2(7)"h"** as follows:

h. In lieu of the requirements in paragraphs ~~880.2(7)*"b"*~~ 880.2(7)*"c"* and ~~*"c,"*~~ *"d,"* the board will accept the ASWB Social Work Registry verification of academic transcripts and verification of licensure in other states.

ITEM 8. Amend paragraph **880.4(5)"c"** as follows:

c. Foreign-trained social workers shall provide an equivalency evaluation of their educational credentials by International Education Research Foundation, Inc., Credentials Evaluation Service, P.O.

Box 3665, Culver City, California 90231-3665, telephone 310.258.9451, website www.ierf.org or email at info@ierf.org; ~~or~~ obtain a certificate of equivalency from the Council on Social Work Education, 1701 Duke Street, Suite 200, Alexandria, Virginia 22314-3457, telephone 703.683.8080, website www.cswe.org; or obtain a certificate of equivalency from an evaluation service with membership in NACES at www.naces.org or a credential evaluation service approved by the board. The professional curriculum must be equivalent to that stated in these rules. The applicant shall bear the expense of the curriculum evaluation.

ITEM 9. Adopt the following **new** paragraph **880.10(2)"c"**:

c. Complete a compact eligibility review. This rule applies to mental health counselor licensees who were licensed prior to enactment of this rule unless this was completed at the time of initial licensure. In order to complete the compact eligibility review, at or prior to the licensee's next renewal, the licensee must submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the applicant. The board may withhold issuing a license pending receipt of a report from the DCI and the FBI.

ITEM 10. Rescind rule 481—880.14(17A,147,272C) and adopt the following **new** rule in lieu thereof:

481—880.14(17A,147,272C) License reactivation for mental health counselors, marital and family therapists, psychologists, and social workers. To apply for reactivation of an inactive license, a licensee shall:

880.14(1) Submit a reactivation application.

880.14(2) Pay the reactivation fee that is due as specified in 481—Chapter 507.

880.14(3) Provide verification of license from the jurisdiction in which the applicant has been most recently licensed, sent directly from the jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification directly from the jurisdiction's board office if the verification provides:

a. Licensee's name;

b. Date of initial licensure;

c. Current licensure status; and

d. Any disciplinary action taken against the license.

880.14(4) For mental health counseling and marriage and family therapy licenses:

a. Provide verification of a current active license in another jurisdiction at the time of application, or

b. Provide verification of completion of continuing education taken within two years prior to the application for reactivation.

(1) If the license has been inactive for less than five years, the applicant must submit verification of 40 hours of continuing education.

(2) If the license has been inactive for more than five years, the applicant must submit verification of 80 hours of continuing education.

c. If the mental health counseling license has been inactive for two or more years and the licensee cannot provide verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation, submit required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the licensee. The board may withhold reactivation of a license pending receipt of a report from the DCI and the FBI.

880.14(5) For psychology licenses, provide verification of a current active license in another jurisdiction at the time of application or verification of completion of continuing education taken within two years of the application. If the license has been inactive for less than five years, the applicant must

submit verification of 40 hours of continuing education, and if the license has been inactive for more than five years, the applicant must submit verification of 80 hours of continuing education.

880.14(6) For social work licenses, provide:

a. Verification of completion of 27 hours of continuing education within two years of application for reactivation or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, the verification in paragraph 880.14(6)*"a"* and one of the following:

(1) Verification of passing the ASWB examination within the last five years at the appropriate or higher level as follows:

1. Bachelor-level social worker—the bachelor's level examination;
2. Master-level social worker—the master's level examination; or
3. Independent-level social worker—the clinical level examination.

(2) Verification of continued social work practice at the appropriate or higher level in another state for a minimum of two years immediately preceding the application for reactivation.

(3) If the social work license has been inactive for two or more years and the licensee cannot provide verification of active practice, in accordance with subparagraph 880.14(6)*"b"*(2), in another state or jurisdiction during the two years preceding an application for reactivation, required waivers and fingerprints pursuant to the board-approved process to facilitate a national criminal history background check. The cost for the evaluation of the fingerprint packet and the DCI and the FBI criminal history background checks will be assessed to the applicant. The board may withhold issuing a license pending receipt of a report from the DCI and the FBI.

ITEM 11. Amend rule 481—880.18(147) as follows:

481—880.18(147) Professional counselor licensing compact. The rules of the Counseling Compact Commission are incorporated by reference. A mental health counselor may engage in the practice of licensed mental health counseling in Iowa without a license issued by the board if the individual has a current compact privilege to practice in Iowa issued by the counseling compact. The state fee for issuance of a compact privilege to practice in Iowa shall be $60, which will be collected by the counseling compact. The state fee for issuance of a compact privilege to practice in Iowa shall be waived for an active-duty military member or spouse of an individual who is an active-duty military member. A mental health counselor who practices mental health counseling in Iowa using a compact privilege is subject to the rules governing licensees in this chapter and in 481—Chapters 881, 882, 884, and 885. Complaints, investigations, and disciplinary proceedings involving a compact privilege shall be handled in accordance with Iowa Code chapters 17A, 147H, and 272C and 481—Chapters 503, 504, and 506.

This rule is intended to implement Iowa Code chapter 147H.

ITEM 12. Renumber rule **481—880.19(154D)** as **481—880.20(154D)**.

ITEM 13. Adopt the following **new** rule 481—880.19(147):

481—880.19(147) Professional social work licensure compact (SWLC). The rules of the SWLC are incorporated by reference. A social worker may engage in the practice of licensed social work in Iowa without a license issued by the board if the individual has a current compact privilege to practice in Iowa issued by the SWLC. The state fee for issuance of a compact privilege to practice in Iowa shall be $60, which will be collected by the SWLC. The state fee for issuance of a compact privilege to practice in Iowa shall be waived for an active duty military member or spouse of an individual who is an active duty military member. A social worker who practices social work in Iowa using a compact privilege is subject to the rules governing licensees in this chapter and in 481—Chapters 881, 882, 884, and 885. Complaints, investigations, and disciplinary proceedings involving a compact privilege shall be handled in accordance with Iowa Code chapters 17A, 147I, and 272C and 481—Chapters 503, 504, and 506.

This rule is intended to implement Iowa Code chapter 147I.

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ARC 0557D

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Rulemaking related to trail cameras

The Natural Resource Commission (Commission) hereby amends Chapter 51, "Game Management Areas," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 455A.5(6)"a" and 481A.6.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 456A.24(2)"a," 481A.6 and 481A.39.

Purpose and Summary

This rulemaking defines "trail camera" and prohibits the use of trail cameras on game management areas except when specifically authorized by permit or when used directly by the Department of Natural Resources (Department) or its designated agents. The proliferation of trail cameras has generated numerous concerns and complaints from the public. This measure will protect the recreational experience of sportsmen and sportswomen and other visitors to these wild areas. Additionally, this prohibition is consistent with the ethical hunting principle of fair chase, ensuring that a hunter does not gain an improper or unfair technological advantage over game.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on July 8, 2026, as **ARC 0409D**. A public hearing was held on the following date(s):

- July 28, 2026

No one attended the public hearing. One hundred and two public comments were received. Of the comments received, 59 supported the amendments, 35 opposed, and 8 asked for a modified ban on trail cameras.

No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Commission on August 13, 2026.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on February 1, 2027.

The following rulemaking action is adopted:

ITEM 1. Adopt the following **new** definition of "Trail camera" in rule **571—51.1(481A)**:

"Trail camera" or *"game camera"* means any remote motion-activated or infrared camera in which the shutter is activated by sound triggers, proximity sensation, radio transmitters, or a self-timer built into the trail camera or game camera.

ITEM 2. Amend rule 571—51.6(481A), catchwords, as follows:

571—51.6(481A) Use of blinds, ~~and~~ decoys, and trail cameras on game management areas.

ITEM 3. Adopt the following **new** subrule 51.6(5):

51.6(5) *Trail cameras.* Trail cameras are prohibited on game management areas unless specifically authorized by permit or when used directly by the department or its designated agents.

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