



SF 471 – Administrative Rules Review Process (LSB 1753SV)
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Fiscal Note Version – As amended and passed by the Senate
Requested by Representative Anesa Kajtazovic

Description

Senate File 471, as amended and passed by the Senate, makes changes related to the review of administrative rules and the application process. The Bill permits agencies to create a negotiated rulemaking group if required by statute or if the agency determines that it can adequately represent the interests that will be affected by the draft rule. The Bill requires notice of the creation of a negotiated rulemaking group to be published in the Iowa Administrative Bulletin.

The Bill provides other guidelines related to procedure, notification, and public input.

The Bill requires agencies to conduct an ongoing and comprehensive review of all rules over a five-year period. The goal is to identify and eliminate obsolete, redundant, and ineffective rules. Upon completion of the review, the agency must provide summary results to the Administrative Rules Coordinator and the Administrative Rules Review Committee.

The Bill requests the Legislative Council to establish an interim study commission to review all rules and regulations effecting small businesses and workers. The commission is required to submit a report to the General Assembly by December 15, 2011.

Background

In June 1999, Governor Vilsack signed Executive Order 8 that required each agency to conduct a comprehensive review of all agency rules including need, clarity, cost, and fairness. The Order required each agency to conduct an assessment and submit a report to the Administrative Rules Coordinator and the Governor's Office by December 2002 (approximately three years).

The Bill permits the creation of negotiated rulemaking groups if required by statute. Currently no statute requires this.

Assumptions

- Only agencies with sufficient resources would conduct negotiated rulemaking procedures.
- Most agencies currently review administrative rules on an ongoing basis and could meet the five-year review process with little or no additional resources.

Fiscal Impact

The fiscal impact is expected to be minimal. Proposed rules that result in the increase, reduction, or elimination of fees could result in changes in revenue to the General Fund or other funds. However, any proposed change would be subject to the approval of the Administrative Rules Review Committee.

Sources

Executive Order 8
Department of Revenue
LSA Analysis

April 13, 2011

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to Code [Section 2.56](#). Data used in developing this fiscal note, is available from the Fiscal Services Division of the Legislative Services Agency upon request.
