

RACING AND GAMING COMMISSION[491]

Notice of Intended Action

**Proposing rulemaking related to declaratory orders and contested cases
and providing an opportunity for public comment**

The Racing and Gaming Commission hereby proposes to adopt new Chapter 2503, “Declaratory Orders—Modifications to Uniform Rules,” and new Chapter 2506, “Contested Cases—Modifications to Uniform Rules,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 99D.7 and 99F.4.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, Senate File 2463.

Purpose and Summary

Iowa Code section 17A.24 provides that if an agency does not have rules in effect covering certain procedural subjects, then the Uniform Rules on Agency Procedure adopted by the Administrative Rules Coordinator apply to the agency. The Administrative Rules Coordinator has adopted uniform administrative rules under agency [7].

2026 Iowa Acts, Senate File 2463, section 4, subsections 1(be) and (bf), legislatively rescind certain Commission rules effective July 1, 2026. Accordingly, under Iowa Code section 17A.24(2), the agency will not have rules in effect addressing the Uniform Rules on Agency Procedure subjects, so the Uniform Rules on Agency Procedure will apply to the Commission. However, under Iowa Code section 17A.24(3), an agency may adopt rules providing for additions, exceptions, or amendments to a uniform rule. Senate File 2463, section 5, authorizes emergency rulemaking for this purpose.

Under Senate File 2463, section 5, subsection 2, an agency may only adopt emergency rules upon making certain findings. The Commission finds that the emergency rules are otherwise necessary under Senate File 2463, section 5, subsection 2(b), as explained below.

Item 1 modifies a uniform rule by streamlining the requirements applicable to intervenors in declaratory order proceedings before the Commission. The uniform rule requires potential intervenors to detail facts supporting the intervenor’s standing and qualifications for intervention. The Commission’s modification requires potential intervenors only to detail facts supporting the intervenor’s qualifications for intervention. This modification is necessary because an intervenor’s qualifications for intervention necessarily include the intervenor’s standing, rendering a separate mention of standing superfluous.

Item 2 modifies a uniform rule by providing that lengthy and technical filings will not be required in certain categories of licensing appeals. The uniform rule provides that filing requirements in contested cases may be imposed by rule, by the notice of hearing, or by order of the presiding officer. The Commission’s modification to this rule adds an exception clarifying that for certain categories of occupational licensing appeals, pleadings other than a notice of appeal will not be required. Adding this language to the rule is necessary because it avoids imposing a potential burden on occupational license applicants, many of whom are not represented by counsel when going through the licensing process.

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.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Commission no later than 4:30 p.m. on June 16, 2026. Comments should be directed to:

Barb Blake
Iowa Racing and Gaming Commission
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: barb.blake@iowa.gov

Public Hearing

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

June 16, 2026	Commission Office
9 a.m.	6200 Park Avenue, Suite 100
	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 public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Commission 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).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0296D**, IAB 5/27/26). 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.