

## IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]

### Notice of Intended Action

#### **Proposing rulemaking related to modifications of the uniform rules on agency procedure and providing an opportunity for public comment**

The Iowa Public Employees' Retirement System (IPERS) hereby proposes to adopt new Chapter 2503, "Declaratory Orders," Chapter 2504, "Rule Waivers," and Chapter 2506, "Contested Cases," Iowa Administrative Code.

#### *Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code chapter 17A and 2026 Iowa Acts, Senate File 2463.

#### *State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 17A and 2026 Iowa Acts, Senate File 2463.

#### *Purpose and Summary*

This proposed rulemaking modifies the Uniform Rules on Agency Procedure related to declaratory orders (7—Chapter 2503), rule waivers (7—Chapter 2504), and contested cases (7—Chapter 2506) to exempt certain topics from which IPERS will not issue a declaratory order, add issues upon which IPERS will not grant waivers, and ensure that claims governed by Iowa Code chapter 97B are governed by the administrative procedures of Iowa Code chapter 97B and not certain contested case provisions of 7—Chapter 2506.

Exemptions from declaratory orders are necessary to preserve the integrity of IPERS' administration of the retirement system. Adoption of this rulemaking will allow IPERS to ensure questions brought before IPERS are answered based on current law and within the bounds of Iowa Code chapter 97B.

IPERS is a qualified governmental plan and must administer the retirement system according to its plan document. Adding issues upon which IPERS will not grant waivers will allow IPERS to ensure it remains a qualified plan.

The new Uniform Rules on Agency Procedure create an inconsistency between certain contested case provisions and the appeals procedure established under Iowa Code chapter 97B. Adoption of this rulemaking will allow IPERS to ensure that any appeal arising under Iowa Code chapter 97B has clear direction as to the appropriate procedural requirements.

#### *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 IPERS for a waiver of the discretionary provisions, if any, pursuant to 495—Chapter 2504.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by IPERS no later than 4:30 p.m. on July 29, 2026. Comments should be directed to:

Cheryl Vander Hart  
Iowa Public Employees' Retirement System  
7401 Register Drive  
Des Moines, Iowa 50321  
Phone: 515.281.7623  
Email: [cheryl.vanderhart@ipers.org](mailto:cheryl.vanderhart@ipers.org)

*Public Hearing*

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

July 29, 2026	IPERS
11:30 a.m. to 12 noon	7401 Register Drive
	Des Moines, Iowa
	And via videoconference call:
	<a href="https://teams.microsoft.com/meet/236293163589875?p=SufRji6HPIHyhoM5tG">teams.microsoft.com/meet/236293163589875?p=SufRji6HPIHyhoM5tG</a>
	Meeting ID: 236 293 163 589 875
	Passcode: Vs3CU3c2

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 IPERS 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 0442D**, IAB 7/8/26). 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.