

HISTORICAL DIVISION[223]

Notice of Intended Action

Proposing rulemaking related to rescission of chapters and providing an opportunity for public comment

The Economic Development Authority (Authority) hereby proposes to rescind Chapter 35, “Administration,” and Chapter 39, “Education Program,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 15.106A(1)“m.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 15.121.

Purpose and Summary

Pursuant to Executive Order 10, the Authority proposes to rescind Chapter 35 and Chapter 39. Both chapters were adopted by the Department of Cultural Affairs pursuant to Iowa Code section 303.2 and chapter 303, subchapter II. The Department’s former responsibilities were divided between the Department of Administrative Services (DAS) and the Authority by 2023 Iowa Acts, Senate File 514. The legislation also discontinued some responsibilities of the Department.

Chapter 35 describes the general administration of the activities and programs within the purview of the state historic preservation officer designated pursuant to Iowa Code section 15.121. The chapter will be replaced with a new 261—Chapter 410, which is proposed in a concurrent rulemaking (**ARC 0600D**, IAB 9/16/26). Some relevant content from the chapter is also proposed to be incorporated into 261—Chapter 412 (**ARC 0599D**, IAB 9/16/26), relating to the National Register of Historic Places, and 261—Chapter 417 (**ARC 0598D**, IAB 9/16/26), relating to the certified local government program, as part of concurrent rulemakings.

Chapter 39 describes an education program previously administered by the Department. 2023 Iowa Acts, Senate File 514, did not require DAS or the Authority to retain rules regarding education activities.

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 16, 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 October 8, 2026. Comments should be directed to:

Lisa Connell
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50309
Email: lisa.connell@iowaeda.com

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

October 6, 2026	Via Microsoft Teams
9:15 to 9:30 a.m.	Information about Teams participation can be found at opportunityiowa.gov/about/iowa-economic-development-authority/ieda-red-tape-review
October 8, 2026	Via Microsoft Teams
3:15 to 3:30 p.m.	Information about Teams participation can be found at opportunityiowa.gov/about/iowa-economic-development-authority/ieda-red-tape-review

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 Authority 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 **223—Chapter 35**.
- ITEM 2. Rescind and reserve **223—Chapter 39**.