

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]

Regulatory Analysis

Notice of Intended Action to be published: 605—subrules 13.1(4) and 13.2(3)
“Transitional Language Amendment, School Safety”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 2024 Iowa Acts, House File 2652
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, House File 2652

Public Hearing

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

March 24, 2026
9 a.m.

Geode Room
7900 Hickman Road, Suite 500
Windsor Heights, Iowa
meet.google.com/vdh-tddo-ajs
Or dial: (US) +1 510.871.3869
PIN: 404 720 923#

Public Comment

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

Blake DeRouchey
7900 Hickman Road, Suite 500
Windsor Heights, Iowa 50324
Phone: 515.323.4232
Email: blake.derouchey@iowa.gov

Purpose and Summary

The current rule as written does not provide for any transitional or safe harbor protections for school districts that purchased products related to unholstered weapons detection soon after the enactment of 2024 Iowa Acts, House File 2652. Because the rulemaking and development of the list of eligible organizations took some time, the Department wishes to provide safe harbor for the school districts that did procure technologies related to unholstered weapons detection prior to the publication of the list, provided the organizations complied with the requirements at the time and were eventually approved to be on the list by the Department.

Analysis of Impact

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

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

Not applicable.

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

School districts and taxpayers from communities that procured unholstered weapons detection software during the time frame between the enactment of 2024 Iowa Acts, House File 2652, and the publishing of the approved organization list will benefit. Legal safe harbor will be extended to school districts that will now comply with the approved organization list.

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 is aware of one school district in need of safe harbor.

• **Qualitative description of impact:**

This proposed rulemaking will provide legal safe harbor for school districts that procured this technology prior to the list of organizations being published.

3. Costs to the State:

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

Not applicable.

• **Anticipated effect on State revenues:**

Not applicable.

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

Inaction would cause school districts that procured this technology prior to the publication of the list of organizations to be out of compliance with the Iowa Administrative Code.

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:**

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?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Adopt the following new subrule 13.1(4):

13.1(4) Transitional compliance and retroactive approval:

a. A school district or accredited nonpublic school that purchased an unholstered weapons detection system after May 17, 2024, but prior to the department's first publication of the approved

organization list, shall be deemed in compliance with Iowa Code section 279.86 and this chapter, provided that:

- (1) The organization and product are subsequently added to the approved list; or
- (2) The school provides documentation to the department demonstrating that the organization and product met the eligibility criteria in rule 605—13.2(90GA, HF2652) at the time of purchase.
 - b.* Systems approved under this subrule may continue to be used and maintained for the duration of the existing contract or the operational life of the equipment, whichever is shorter, without requiring a new procurement from the approved list.

ITEM 2. Adopt the following **new** subrule 13.2(3):

13.2(3) For purposes of the transitional exception in subrule 13.1(4), the department may evaluate an organization's qualification based on the technical specifications and security standards in place at the time of the school's initial procurement.