

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]

Regulatory Analysis

Notice of Intended Action to be published: 605—Chapter 12
“Homeland Security and Emergency Response Teams”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A and 29C.8
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, Senate File 2370

Public Hearing

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

July 15, 2025
8:30 a.m.

Geode Room
7900 Hickman Road, Suite 500
Windsor Heights, Iowa

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:

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Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 12 and adopt a new chapter in lieu thereof. The chapter describes the structure and guidelines in which local homeland security and emergency response teams are managed.

The proposed new chapter omits language that is duplicative of the Iowa Code, overly restrictive or obsolete and, as a result, shortens the chapter.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

There is no proposed change to the way homeland security and emergency response teams are compensated. They are only reimbursed upon an activation order by the Department Director or pursuant to a Governor’s Disaster Proclamation. This reimbursement comes via request to the Executive Council.

• Classes of persons that will benefit from the proposed rulemaking:

All individuals within the State benefit from a well-run and organized emergency response capability.

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:

Since 2020, the Department has activated the State's homeland security and emergency response teams 20 times in support of emergencies. These rules further implement the Department's ability to activate these resources.

- **Qualitative description of impact:**

Current homeland security and emergency response teams capabilities include but are not limited to urban search and rescue, incident management teams, and telecommunicator emergency response teams. These teams can be deployed in-state or out-of-state at the request of the Department Director or Governor. These teams can help local response capabilities to mitigate loss of life and property and facilitate a more rapid recovery.

3. **Costs to the State:**

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

This proposed chapter implements Iowa Code section 29C.8, which addresses compensation for team members as employees of the State. Costs and number of disasters that require a response by an emergency response team vary by year.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues. However, depending on the number of disasters that require a deployment in a given year, there could be impacts to State expenditures.

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

This rulemaking ensures the State is prepared and has the necessary resource capabilities to respond to disasters. Inaction could lead to death, loss of property, and devastated communities.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department seeks to implement these rules in a manner that is the least intrusive and prescriptive as possible, while still maintaining the responsibilities of maintaining well-run homeland security and emergency response teams throughout the State, as outlined in Iowa Code section 29C.8. Funding to implement these local programs is outlined as part of the aforementioned Iowa Code section as well as the proposed rulemaking (rule 605—12.5(29C)). Where intrusive or prescriptive methods remain in this proposed rulemaking, the Department is following federal grant and program guidelines to ensure funding qualifications.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were seriously 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?

This proposed rulemaking has no direct impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 605—Chapter 12 and adopt the following **new** chapter in lieu thereof:

CHAPTER 12
HOMELAND SECURITY AND EMERGENCY RESPONSE TEAMS

605—12.1(29C) Purpose. The duties of the director of the homeland security and emergency management department include the development and ongoing operation of homeland security and emergency response teams to be deployed by the state to supplement and enhance local resources during times of disaster and emergency. These rules are intended to specify how teams and team members will be designated, minimum standards that shall be maintained, and the use of the teams.

605—12.2(29C) Definitions.

“*Director*” means the same as defined in Iowa Code section 29C.2.

“*Governor’s disaster proclamation*” means the proclamation of disaster emergency issued by the governor in accordance with Iowa Code section 29C.6.

“*Homeland security advisory committee*” means the advisory committee created by the director for the purpose of providing advice on public safety response issues within Iowa.

605—12.3(29C) Homeland security and emergency response teams.

12.3(1) The director shall issue requests to create homeland security and emergency response teams based on identified needs, on recommendations from the homeland security advisory committee, and at the request of the governor.

12.3(2) Each team shall be designated by the director. To be eligible for designation, a team shall provide a written application to the director that details the following information:

- a. Type of assistance that the team provides.
- b. Emergency response team information.
 - (1) Team name.
 - (2) Team location.
 - (3) 24/7 contact information and procedures.
 - (4) Team agency, including head of agency and contact information.
 - (5) Team commander and assistant commander, including contact information.
 - (6) Titles, names, and responsibilities of deployable response personnel assigned to the team.
- c. Listing of applicable local, state, and national standards and certifications to which team members are trained and certified.
- d. Detailed listing of the team’s major response assets that are related to the team’s mission. The listing shall provide details related to self-sufficiency, including the amount of time the team can remain self-sufficient.
- e. Listing of communications assets, including radio frequencies used and any interoperability capabilities.
- f. An estimate of the time needed to assemble the team members and assets and deploy upon the request of the director or governor.

12.3(3) Upon receipt of the written application from the team, the director shall review the application. The director may seek additional information from the team. The team shall provide the requested information in a timely fashion.

12.3(4) Following approval of the application, the director shall issue a letter formally designating the team as an “Iowa homeland security and emergency response team” in accordance

with Iowa Code section 29C.8. The director may enter into an agreement with the team in accordance with Iowa Code chapter 28E.

12.3(5) Upon acceptance as a homeland security and emergency response team, the team shall routinely update all records to accurately reflect membership rosters and major assets at the team's disposal. The team shall update records any time personnel are added to or removed from the team.

605—12.4(29C) Use of homeland security and emergency response teams.

12.4(1) A designated team may be deployed in accordance with Iowa Code section 29C.8(3) "f," 29C.21 or 29C.22.

12.4(2) A designated team shall be deployed as a state asset only by a directive from the director or pursuant to a governor's disaster proclamation unless the sponsoring agency's response team is needed to perform emergency services within its own jurisdiction. Should the response team perform emergency services within its own jurisdiction without a directive from the director or pursuant to a governor's disaster proclamation, the team will be responsible for all associated costs.

605—12.5(29C) Homeland security and emergency response team compensation.

12.5(1) A homeland security and emergency response team will be compensated for its expenses while it is deployed as a state asset in accordance with Iowa Code section 29C.8(3) "f" and rule 605—12.4(29C), subject to availability of funds. The application for compensation will be in a manner as specified by the director. Compensation shall be made to the team or the team's governing jurisdiction.

12.5(2) The homeland security and emergency response team's materials, equipment and supplies consumed or damaged while the team is deployed in accordance with rule 605—12.4(29C) shall be reimbursed on a replacement cost basis, subject to the availability of funds.

12.5(3) The director shall request funds from the executive council to address any obligations under rule 605—12.5(29C).

12.5(4) Should the response team perform emergency services within its own jurisdiction without a directive from the director or pursuant to a governor's disaster proclamation, the team will be responsible for all associated costs.

605—12.6(29C) Alternate deployment of homeland security and emergency response teams.

12.6(1) At its discretion, a homeland security and emergency response team may deploy at the direct request of a political subdivision of the state without a directive from the director or without a governor's disaster proclamation.

12.6(2) The provisions of rule 605—12.5(29C) do not apply to a team deployed under rule 605—12.6(29C). A team deployed upon local request may seek compensation from the political subdivision making the request and in accordance with any mutual aid agreements that may exist at the time of deployment, including those authorized by Iowa Code section 29C.22.

12.6(3) If, during a team deployment, a governor's disaster proclamation is issued, the director shall specify the date and time when the team may be deployed under rules 605—12.4(29C) and 605—12.5(29C).

These rules are intended to implement Iowa Code chapter 29C.