Regulatory Analysis

Notice of Intended Action to be published: 129—Chapter 4
"Declaratory Orders"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 8 and 17A
State or federal law(s) implemented by the rulemaking: Iowa Code chapters 8 and 17A

Public Hearing

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

August 1, 2025 11 a.m.	Room G14 1007 East Grand Avenue Des Moines, Iowa

Public Comment

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

Brad Horn, General Counsel
Iowa Department of Management
1007 East Grand Avenue, Room G13
Des Moines, Iowa 50319
Phone: 515.414.6187
Email: brad.horn@dom.iowa.gov

Purpose and Summary

The Office of the Chief Information Officer (OCIO) is now consolidated into DOM. Chapter 4 concerning declaratory orders is no longer necessary and is proposed to be rescinded.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
- **Classes of persons that will bear the costs of the proposed rulemaking:**

Not applicable. Chapter 4 is being rescinded in its entirety.
- **Classes of persons that will benefit from the proposed rulemaking:**

The rescission of Chapter 4 simplifies the rules and avoids surplusage.

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:**

Not applicable. This rulemaking rescinds Chapter 4 now that OCIO is consolidated under DOM.
- **Qualitative description of impact:**

The rescission of Chapter 4 simplifies the existing rules, which provides users a better qualitative experience.

3. **Costs to the State:**
- **Implementation and enforcement costs borne by the agency or any other agency:**

There will be no implementation or enforcement costs since Chapter 4 is proposed to be rescinded.
- **Anticipated effect on State revenues:**

To the extent consolidation of OCIO into DOM increases efficiency and reduces redundancies, State revenues will be positively affected by the rescission of Chapter 4.

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

Inaction is not permissible since Chapter 4 is defunct and should be rescinded now that OCIO is consolidated within DOM. Rescinding the chapter is a necessary step in maintaining current and easily accessible rules.

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

No methods exist that are less costly than rescinding this defunct chapter and eliminating outdated, unnecessary text from the rules.

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

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

Not applicable. Chapter 4 is defunct and should be rescinded.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

No alternative methods are available.

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?

The rescission of Chapter 4 has no substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **129—Chapter 4**.