

Regulatory Analysis

Notice of Intended Action to be published: 547—Chapter 7
“Declaratory Orders”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 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 no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Brad Horn, General Counsel
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 County Finance Committee is proposing to rescind Chapter 7 as part of its adoption of the Uniform Rules on Agency Procedure, which are addressed in a separate Regulatory Analysis herein (IAB 7/9/25).

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

This proposed rulemaking does not impact costs to any person.

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

Adoption of the Uniform Rules on Agency Procedure should benefit the taxpayers and the Department by simplifying the rules addressing the subjects addressed by the Uniform Rules on Agency Procedure.

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 proposed rescission of Chapter 7 will decrease verbiage used to address the declaratory order obligation of Iowa Code chapter 17A.

• **Qualitative description of impact:**

Users of the Department’s administrative rules should benefit qualitatively from the proposed change because the body of administrative rules addressed by the Uniform Rules on Agency

Procedure, including the declaratory orders rule obligations, will be more consistently addressed by use of the Uniform Rules on Agency Procedure universally within the Department, which should make compliance much easier.

3. Costs to the State:

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

There are no additional costs to the Department by adoption of the Uniform Rules on Agency Procedure.

• **Anticipated effect on State revenues:**

State revenues should not be impacted positively or negatively by adoption of the Uniform Rules on Agency Procedure in this regard.

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

Inaction would not be appropriate because the rules must be addressed under Executive Order 10 regardless.

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

Adoption of the Uniform Rules on Agency Procedure, inclusive of the declaratory orders provisions, is the most cost-effective method of meeting the Iowa Code chapter 17A obligations.

6. Alternative methods considered by the agency:

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

Adoption of the Uniform Rules on Agency Procedure is the most efficient method of meeting the legal obligation, and inaction is not permissible.

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

There were no reasonable alternative methods 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 only impact on small business brought about by this proposed rulemaking might be a slight financial benefit from the consistency of rules across the Department's body of administrative rules.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **547—Chapter 7.**