HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]

Regulatory Analysis

Notice of Intended Action to be published: 605—Chapter 1
"Organization"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 29C
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:

September 23, 2025 9:15 a.m.	Geode Room 7900 Hickman Road, Suite 500 Windsor Heights, Iowa Via videoconference meet.google.com/oqm-wujn-dif Phone: 475.277.0077 PIN: 619 998 977#

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 7 and adopt a new chapter in lieu thereof. The chapter describes the structure and guidelines in which local emergency management is administered throughout the State.

The new chapter eliminates language that is overly restrictive or obsolete and 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 direct cost associated with the proposed rulemaking.

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

All individuals within the State benefit from a well-run and organized emergency management program.

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:**

There is no quantitative impact; this chapter simply provides organizational structure for the Department.

- **Qualitative description of impact:**

There is no qualitative impact; this chapter simply provides organizational structure for the Department.

3. **Costs to the State:**

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

There are no costs to the State or the Department associated with this rulemaking.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues.

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

This rulemaking ensures the Department has a basic structure and has no costs associated with it.

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 minimally intrusive and minimally prescriptive manner while still maintaining the responsibilities of maintaining a well-run emergency management program throughout the State.

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?

The rulemaking has no impact on small business.

Text of Proposed Rulemaking

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

CHAPTER 1
ORGANIZATION

605—1.1(29C) Description. The department of homeland security and emergency management is created in Iowa Code chapter 29C. The department of homeland security and emergency management shall be under the management of a director appointed by the governor subject to senate approval. The director shall be vested with the authority to administer homeland security and emergency

management affairs in this state and is responsible for preparing and executing the homeland security and emergency management programs of this state subject to the direction of the governor. The director, upon the direction of the governor, shall carry out the duties and responsibilities detailed in applicable Iowa Code provisions, including chapters 29C, 29D, 30, 34A, and 418. The director shall also carry out duties and responsibilities of applicable federal code and regulations. The director, with the approval of the governor, may employ a deputy administrator and such technical, clerical, and other personnel and make such expenditures within the appropriation or from other funds made available to the department for purposes of homeland security and emergency management, as may be necessary to administer the purposes of Iowa Code chapters 29C, 29D, 30, 34A, and 418.

605—1.2(29C) Definitions. The following definitions are applicable to the homeland security and emergency management department:

"Comprehensive countywide emergency operations plan" means documents that describe the actions to be taken to lessen the effects of, prepare for, respond to and recover from a disaster by county and city governments, quasi-government agencies, and private organizations that have emergency operations responsibility. The plan is multihazard in scope (covers all hazards for the county) and provides for a coordinated effort. It references authority, assigns functional responsibilities, provides for direction and control, and ensures the effective use of resources.

"Department" means the same as defined in Iowa Code chapter 29C.

"Director" means the same as defined in Iowa Code chapter 29C.

"Disaster" means the same as defined in Iowa Code chapter 29C.

"Emergency" means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action to protect life or property. Such actions are normally handled in a routine manner by law enforcement, fire protection, public works, utilities, and emergency medical services.

"Emergency management" means lessening the effects of, preparations for, operations during, and recovery from natural, technological or human-caused disasters. These actions are broad in scope and include but are not limited to disaster plans, mitigation, preparedness, response, warning, emergency operations, training, exercising, research, rehabilitation, and recovery activities.

"Emergency management performance grant program" means a program by which federal funds are utilized to pay no more than 50 percent of the salaries, benefits, travel, and office expenses incurred in the administration of the state and local emergency management program.

"Homeland security" means the detection, prevention, preemption, and deterrence of and protection from attacks targeted at state territory, population, and infrastructure.

"Joint commissions" means two or more local emergency management commissions acting as a joint commission for the coordination and administration of emergency management as described in Iowa Code section 29C.9.

"Local commission" means the local emergency management commission as defined in Iowa Code section 29C.9.

"Mitigation" means any action taken to reduce or eliminate the long-term risk to human life and property from hazards. Examples of mitigation activities include building codes, land use management, floodplain management, building of protective structures such as flood walls, public education, research, risk mapping, safety codes, and statutes and ordinances.

"Preparedness" means any activity taken in advance of an emergency or disaster that improves emergency readiness posture and develops or expands operational capabilities. Examples of preparedness activities include but are not limited to continuity of government, emergency alert and warning systems, emergency communications, emergency operations centers, comprehensive countywide emergency operations plans, emergency public information materials, exercise of plans and systems, hazard analysis, mutual aid agreements, resource management, and the training and equipping of personnel.

"Recovery" means short-term activity to return vital life support systems to minimum operating standards and long-term activity designed to return the affected people and areas to their predisaster

conditions. Examples of recovery activities are crisis counseling, damage assessment, debris clearance, decontamination, disaster insurance payments, disaster loans and grants, disaster unemployment assistance, public information, community outreach, temporary housing, and reconstruction.

"Response" means any action taken immediately before, during, or directly after an emergency or disaster occurs, which is intended to save lives, minimize injuries, lessen property and environmental damage and enhance the effectiveness of recovery. Examples of response activity include rendering of assistance by emergency responders, activation of the emergency operations center, emergency alert system activation, emergency instructions to the public, emergency plan implementation, public official alerting, evacuation, sheltering of victims, search and rescue, resource mobilization, and warning system activation.

605—1.3(29C) Facilitating business rapid response to state-declared disasters. The implementation of business rapid response to state-declared disasters is addressed in the rules of the secretary of state in 721—Chapter 12 and the department of revenue in 701—Chapter 242.

These rules are intended to implement Iowa Code chapters 29C, 29D, 30, 34A and 418.