

INSPECTIONS, APPEALS, AND LICENSING DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapter 301
“State Building Code”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 103A.7 and 2026 Iowa Acts, House File 2297

State or federal law(s) implemented by the rulemaking: 2026 Iowa Acts, House File 2297

Public Hearing

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

October 21, 2026
10 a.m.

6200 Park Avenue
Des Moines, Iowa

Public Comment

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

Jeremiah Junker
Department of Inspections, Appeals, and Licensing
6200 Park Avenue
Des Moines, Iowa 50321
Email: jeremiah.junker@dia.iowa.gov

Purpose and Summary

The purpose of this proposed rulemaking is to implement 2026 Iowa Acts, House File 2297. 2026 Iowa Acts, House File 2297, requires the State Building Code Commissioner to adopt as part of the State Building Code a requirement that a new single-family or two-family residential construction must include a passive method for the mitigation of radon listed in Appendix AF of the International Residential Code, 2021 edition, published by the International Code Council. 2026 Iowa Acts, House File 2297, specifies that the requirement adopted by the Commissioner as part of the State Building Code shall only apply to single-family or two-family residential construction commenced after the adoption of the requirement. Additionally, 2026 Iowa Acts, House File 2297, provides that provisions of the State Building Code relating to radon mitigation requirements shall be applicable to all new single-family and two-family residential construction in Iowa.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

Builders of new single-family or two-family residential construction may bear some costs associated with this proposed rulemaking, and by extension, some purchasers of new single-family or two-family residential construction may bear some costs associated with this proposed rulemaking. Local building departments and officials may also bear some costs associated with this proposed rulemaking as part of their building code enforcement work. However, this proposed rulemaking is

required by 2026 Iowa Acts, House File 2297, and it is the Commissioner's opinion that this proposed rulemaking imposes the minimal costs potentially associated with the rulemaking mandate in 2026 Iowa Acts, House File 2297.

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

Purchasers and residents of new single-family or two-family residential construction throughout Iowa will benefit from this proposed rulemaking.

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:**

Direct costs can vary greatly based on multiple factors (including the size, complexity, and location of a project, as well as the passive radon mitigation construction technique selected) and are not easily quantified. Additionally, this proposed rulemaking is required by 2026 Iowa Acts, House File 2297, and it is the Commissioner's opinion that this proposed rulemaking imposes the minimal costs potentially associated with the rulemaking mandate in 2026 Iowa Acts, House File 2297.

- **Qualitative description of impact:**

Indirect costs of compliance can also vary greatly based on multiple factors and are not easily quantified, and it is the Commissioner's opinion that this proposed rulemaking imposes the minimal costs of compliance potentially associated with the rulemaking mandate in 2026 Iowa Acts, House File 2297.

3. Costs to the State:

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

The Department does not anticipate that it will bear significant implementation or enforcement costs associated with this proposed rulemaking since the Department rarely has any enforcement role associated with single-family or two-family residential construction. Implementation and enforcement costs will instead be borne by local building departments and officials who do have an enforcement role associated with single-family or two-family residential construction.

- **Anticipated effect on State revenues:**

The Department does not anticipate an effect on State revenues.

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

This proposed rulemaking is required by 2026 Iowa Acts, House File 2297, so inaction is not an option.

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

This proposed rulemaking is required by 2026 Iowa Acts, House File 2297. It is the Commissioner's opinion that this proposed rulemaking does not exceed what is explicitly required by 2026 Iowa Acts, House File 2297, and it imposes the minimal costs potentially associated with the rulemaking mandate in 2026 Iowa Acts, House File 2297.

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. 2026 Iowa Acts, House File 2297, appears rather clear in its rulemaking directive, and it is the Commissioner's opinion that this proposed rulemaking closely aligns with what is explicitly required by 2026 Iowa Acts, House File 2297.

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

No alternative methods were seriously considered. 2026 Iowa Acts, House File 2297, appears rather clear in its rulemaking directive, and it is the Commissioner's opinion that this proposed rulemaking closely aligns with what is explicitly required by 2026 Iowa Acts, House File 2297.

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?

It is the Commissioner's opinion that this proposed rulemaking does not have a substantial impact on small business. Additionally, this proposed rulemaking aligns with what is explicitly required by 2026 Iowa Acts, House File 2297, which does not provide any exceptions for small businesses.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** division heading in **481—Chapter 301**:

Part 8

RADON MITIGATION

ITEM 2. Adopt the following **new** rule 481—301.45(103A):

481—301.45(103A) Scope and applicability. Part 8 applies to all new single-family or two-family residential construction throughout the state of Iowa, commenced after the adoption of this part.

ITEM 3. Adopt the following **new** rule 481—301.46(103A):

481—301.46(103A) Passive radon mitigation requirements. All new single-family or two-family residential construction must include a passive method for the mitigation of radon listed in Appendix AF, "Radon Control Methods," of the International Residential Code, 2021 edition, published by the International Code Council, located at www.iccsafe.org. The passive methods for the mitigation of radon are listed in Section AF103 of Appendix AF.

ITEM 4. Adopt the following **new** rule 481—301.47(103A):

481—301.47(103A) Testing. Radon testing is not required, but if it is performed, it must be in compliance with Section AF104 of Appendix AF.