ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Regulatory Analysis

Notice of Intended Action to be published: 351—Chapter 12
"Declaratory Orders"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A, 68A, and 68B

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 17A, 68A, and 68B and Executive Order 10

Public Hearing

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

October 21, 2025 9 to 9:30 a.m.	Via virtual meeting/videoconference meet.google.com/def-amxu-ztg Or dial: 443.892.2873 Passcode: 459 114 569#

Public Comment

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

Kimberly Murphy
Iowa Ethics and Campaign Disclosure Board
510 East 12th Street
Jessie M. Parker Building, Suite 1A
Des Moines, Iowa 50319
Phone: 515.423.4112
Email: kim.murphy2@iowa.gov

Purpose and Summary

The Iowa Administrative Procedure Act has long required agencies to adopt rules regarding procedures for declaratory orders. To satisfy these obligations, IECDB promulgated Chapter 12 consistent with the Uniform Rules on Agency Procedure.

However, 2024 Iowa Acts, Senate File 2370, sections 4 and 12, repealed related requirements and enacted a new Iowa Code section, respectively. The new section states that the Administrative Rules Coordinator, in partnership with the Iowa Attorney General's Office, may adopt a new set of uniform model rules that will automatically apply to agencies in the absence of self-promulgated rules (more information can be found in Iowa Code section 17A.24 as enacted by 2024 Iowa Acts, Senate File 2370).

Accordingly, IECDB is proposing to rescind Chapter 12 consistent with the principles of Executive Order 10 as being either unauthorized or unnecessary. IECDB will instead operate under the new model rules and other applicable laws.

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 expected additional cost to the State or other stakeholders governed by Iowa Code chapters 68A and 68B.

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

The State and stakeholders governed by Iowa Code chapters 68A and 68B will benefit.

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:**

No quantitative impact is expected. IECDB will still operate consistent with Iowa Code chapter 17A and the scope of authority granted pursuant to Iowa Code chapters 68A and 68B.

- **Qualitative description of impact:**

No qualitative impact is expected.

3. **Costs to the State:**

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

No costs will be borne by any agency. IECDB will still operate consistent with Iowa Code chapters 17A, 68A, and 68B.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

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

Not applicable. IECDB will still operate consistent with Iowa Code chapter 17A and the scope of authority granted pursuant to Iowa Code chapters 68A and 68B.

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

Not applicable.

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

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

Not applicable.

- **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?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **351—Chapter 12**.