Regulatory Analysis

Notice of Intended Action to be published: 671—Chapters 4 and 14
"Development Process for Government Information Policies, Standards, and Guidelines"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 8A.104(5) and 8A.608(1)"d"

State or federal law(s) implemented by the rulemaking: Iowa Code sections 8A.601 through 8A.616

Public Hearing

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

November 19, 2025 11 a.m.	Via Google Meet Phone Number: 1.628.400.4549 PIN: 532 175 431#

Public Comment

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

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Hoover State Office Building, Third Floor
1305 East Walnut Street
Des Moines, Iowa 50319
Email: tami.wiencek@iowa.gov

Purpose and Summary

These rules are intended to provide a framework for development of information policies, standards, and guidelines. These are implemented by the Records Commission for State agencies and the Legislature. The rules include updated language pursuant to the Governor's Executive Order 10. They also reflect the fact the Commission is under the purview of the Department of Administrative Services through the State Government Alignment Act, 2023 Iowa Acts, Senate File 514, which has since been codified in Iowa Code chapter 8A.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

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

State agencies and the Legislature would bear the cost of records policy development as part of the cost of doing business.

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

The public benefits from records policy development since that leads to continued government records access and transparency.

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:**

This is not applicable because most of the work of records management policy was done eight years ago. The policies in the current records manual are up to date.

- **Qualitative description of impact:**

This chapter allows the Commission to develop new policies, if necessary, for records management, thus remaining relevant as information practices evolve. For example, at one time, the email policy had to be written as the digital form of communication became commonplace. This ability allows State agencies, in particular, to stay efficient in government transparency.

3. **Costs to the State:**

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

The costs are built into the cost of doing business for State agencies and the Records Commission and Records Bureau.

- **Anticipated effect on State revenues:**

There is no effect on State revenues.

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

The benefits outweigh the costs considering that costs are built in as a part of doing business as a State and that the Commission has relied upon this chapter for updates to its records manual, to set new policy, and to allow for advisory committees when necessary.

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

Since the development rules address standard and best practices in the archive industry regarding policy development, there are no less intrusive methods to implement.

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

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

No alternative methods were considered.

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

After conducting a review, it was found there are no beneficial alternatives from other states.

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?

This is not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind 671—Chapter 4 and adopt the following **new** chapter in lieu thereof:

CHAPTER 4
DEVELOPMENT PROCESS FOR GOVERNMENT INFORMATION POLICIES, STANDARDS, AND GUIDELINES

671—4.1(8A) Proposal of government information policies, standards, and guidelines. An agency staff member or a member of the public may propose a topic to be developed into a government information policy, standard, or guideline by contacting the state records commission through the state archives and records bureau. A proposal may include a draft government information policy, standard, or guideline.

671—4.2(8A) Commission responsibilities.

4.2(1) In accordance with Iowa Code section 8A.608, the commission shall:

a. Develop such government information policies, standards, and guidelines as it deems appropriate;

b. Prior to final adoption, solicit agency participation in the review of government information policies, standards and guidelines;

c. Draft and file administrative rules in accordance with Iowa Code chapter 17A for all government information policies and standards; and

d. Include all government information guidelines in the state records manual.

4.2(2) The commission may:

a. Appoint advisory committees to research and analyze issues related to government information policies, standards, and guidelines; and

b. Prior to final adoption, solicit public participation in the review of government information policies, standards and guidelines.

671—4.3(8A) State archives and records bureau responsibilities. The state archives and records bureau shall provide administrative support to advisory committees appointed by the commission.

671—4.4(8A) Agency responsibilities.

4.4(1) An agency shall be in substantial compliance with government information policies and standards adopted by the commission.

4.4(2) An agency may utilize government information guidelines adopted by the commission as the agency implements the government records program within the agency.

671—4.5(8A) Advisory committees.

4.5(1) Advisory committees of the state records commission may:

a. Make recommendations to the state records commission.

b. Consist of public members and agency staff members. No more than three members of the state records commission may be members of any advisory committee.

4.5(2) Individuals may volunteer to serve on advisory committees of the state records commission by submitting a letter of application to the state archives and records bureau along with a résumé stating areas of interest and expertise.

4.5(3) The state archives and records bureau will maintain the applications of individuals who volunteer to serve as members of advisory committees of the state records commission for a two-year period following receipt of the letter of application.

These rules are intended to implement Iowa Code sections 8A.601 through 8A.615.

ITEM 2. Rescind and reserve **671—Chapter 14**.