Regulatory Analysis

Notice of Intended Action to be published: 671—Chapters 5, 6, and 15
"Temporary Records—Access Process, Destruction Process; Email Retention"

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:

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

Purpose and Summary

The purpose of this rulemaking is to rescind outdated chapters under the State Records Commission rules as part of the Department's review of rules through the Governor's Executive Order 10. The Commission is now under the purview of the Department 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:**

There are no costs associated with this rulemaking.

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

Iowa taxpayers will benefit by the rescission of outdated chapters because these chapters are no longer needed for State agencies and the Legislature.

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 costs are incurred by rescinding these chapters. The temporary records center has been closed, and the annual cost to maintain that was $400,000.

- **Qualitative description of impact:**

As stated, the chapters are outdated. There is no longer a temporary records center. It was closed in 2020. In addition, how to handle State emails as records is covered in policy.

3. **Costs to the State:**

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

This is not applicable.

- **Anticipated effect on State revenues:**

This is not applicable.

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

This is not applicable because the rescissions have no cost. The benefits are Iowa Administrative Code cleanup.

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

This is not applicable.

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

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

This is not applicable.

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

Rescinding these rules is the least regulatory and intrusive method of handling these rules.

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 and reserve **671—Chapter 5**.

ITEM 2. Rescind and reserve **671—Chapter 6**.

ITEM 3. Rescind and reserve **671—Chapter 15**.