RA 26-387

FAIR BOARD[371]

Regulatory Analysis

Notice of Intended Action to be published: 371—Chapter 1
"General Rules"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 173.14, 173.14A(7), and 173.17
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 173

Public Hearing

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

December 1, 2026 11 to 11:30 a.m.	teams.microsoft.com/meet/284948346636326?p=3dtap1LeQ4hdthk7kH Meeting ID: 284 948 346 636 326 Passcode: so2iy3TJ

Public Comment

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

Jeremy Parsons
Iowa State Fair
P.O. Box 57130
Des Moines, Iowa 50317
Email: jparsons@iowastatefair.org

Purpose and Summary

This proposed chapter describes the organization and processes of the Fair Board for the public, including organization, operations, and records. The proposed chapter was reviewed as part of the Red Tape Review process laid out in Executive Order 10. As a result of this review, restrictive terms were removed, areas that were duplicative were combined or eliminated, and updates were made to processes and procedures to ensure they reflect current policies and procedures.

Analysis of Impact

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

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

Contractors who are contracting with the Fair Board will be required to have liability insurance.

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

Iowans who participate in or attend the Fair will benefit from having clear, concise, and accurate rules. The Fair and the State of Iowa will have additional liability protections by having contractors maintain insurance.

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 rulemaking will have little impact and little cost since contractors typically maintain liability insurance policies.

- **Qualitative description of impact:**

This rulemaking will have little impact and little cost since the changes are minimal.

3. **Costs to the State:**

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

No costs are expected.

- **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:**

The benefit will be an updated chapter revised in compliance with Executive Order 10 that will provide additional liability protections to the Fair and the State of Iowa.

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:**

There are no alternatives because this rulemaking is required by Executive Order 10.

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?

There is no expected impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 371—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
GENERAL RULES

371—1.1(173) Functions. The directors and members of the Iowa state fair board shall be responsible for establishing the policies governing the annual state fair, the premium lists, the control of the state fairgrounds including its buildings and equipment, the concessions operated at the state fair, and all other aspects related to the state fair and the state fairgrounds.

371—1.2(173) Organization and operations.

1.2(1) *Location.* The board's office is located on the Iowa State Fairgrounds, 3000 East Grand Avenue, Des Moines, Iowa; telephone 515.262.3111; mailing address: Iowa State Fair Board, P.O. Box 57130, Des Moines, Iowa 50317-0003.

1.2(2) *The board.* The Iowa state fair board consists of 15 members. All officers are elected by the regular board membership. The 15 members consist of 12 members elected by authorized delegates as specified in Iowa Code section 173.1, the governor, the state agriculture secretary and the president of Iowa State University, or their designees.

1.2(3) *Secretary and treasurer.* A secretary and treasurer are appointed to implement and carry out policies of the board. The secretary, who also serves as CEO and fair manager, conducts the operations of the board as the board's policies may prescribe and as set forth by law.

1.2(4) *Meetings.* Board meetings will generally be held once a month; however, establishment and public notice of meeting dates and locations are the responsibility of the secretary, unless the majority of the members of the fair board eligible to vote request a meeting.

a. Agenda. The tentative agenda is prepared by the secretary in advance of the board meeting and will be communicated to board members in advance of the meeting date. A copy of the agenda will be mailed to those members of the public who request it and prominently posted at the fair office 24 hours before the meeting. Members of the public wishing to be scheduled on the board's agenda should notify the secretary ten days in advance of the meeting and provide written materials explaining their reasons for wishing to address the board. Final decisions on the content and length of agenda items shall be the secretary's.

b. General conduct of meetings.

(1) The president, or vice president in the absence of the president, presides at all board meetings. Only individuals recognized by the presiding officer may address the board; in general, Robert's Rules of Order will govern the meeting unless otherwise stated in this chapter or by special action of the board.

(2) In all discussions before the board, members of the public shall address any questions for the board to the president. Individual questioning of board members will not be allowed without the explicit consent of the president and the board member in question.

c. Voting. The board consists of 12 elected members and 3 members consisting of the governor, the state agriculture secretary and the president of Iowa State University who vote on issues. Seven members eligible to vote shall constitute a quorum. A majority of the board members is sufficient to carry an action.

d. Public participation. All meetings are open to the public in accordance with the open meetings law, except that portions of a meeting may be closed in accordance with the open meetings law. A 15-minute public forum will be scheduled on each agenda of regular monthly meetings to allow the public an opportunity to address the board on any issue that may have arisen after the agenda was posted.

1.2(5) *Minutes.* The minutes of all board meetings are recorded and kept by the secretary in the board's offices.

371—1.3(173) Rules.

1.3(1) *Explanation of rules.* The administrative rules of the Iowa state fair board are those of general applicability to the public and do not contain specific rules governing competitions, competitors, exhibitors, entertainers or others involved in the programming of the Iowa state fair. Other than general rules for competition, all specific rules for competition and other forms of fair programming will be adopted yearly by the Iowa state fair board and published and made available in the Iowa state fair premium lists by June 1.

a. Comment on specific rules. Any person wishing to comment on the specific rules of competition and fair programming may do so in writing by submitting comments to the offices of the board for review.

b. *Conflict of rules.* In the event of conflict between general and specific rules, the latter will take precedence.

1.3(2) *Rule application.* The administrative rules of the fair board will apply only to the yearly fair-time operations except where year-round applicability is so stated.

1.3(3) *Appeal procedures.* All protests, challenges to disciplinary action or complaints shall be heard initially by the Iowa state fair board's competition committee according to procedures set out in the fair's annual premium book. An exhibitor may appeal the decision of the competition committee to the fair board. An exhibitor appealing a disqualification or recommended disciplinary action may request an evidentiary hearing conducted pursuant to Iowa Code chapter 17A. If the exhibitor requests that the appeal be heard as an evidentiary hearing, the fair board may retain an administrative law judge from the department of inspections, appeals, and licensing to conduct the evidentiary hearing and to render a proposed decision. The fair board may affirm, reverse or modify the proposed decision.

371—1.4(173) Admissions. All admissions to the annual fair and designated shows shall be determined by the fair board and advertised or posted, and anyone entering the fair or the shows being charged for must pay the admission fee or present the proper credentials.

1.4(1) *Return admissions.*

a. Persons wishing to leave the fair and return the same day may do so by having one of their hands stamped at the gate.

b. Campers will be required to pay the regular admission to the fair when entering the fairgrounds proper from the campgrounds.

c. Refunds for fair admissions. Requests for refunds for admissions to the fair shall be reviewed by the secretary of the fair to determine if a refund is justified per board policy.

1.4(2) *Show admission.* The Iowa state fair board will contract, produce and stage shows and events within the fair that are suitable to the tastes of the Iowa public, and the fair board shall determine which shows necessitate additional admission charges to the public.

a. *Fair board admissions.* Each fair board member will be allowed two admissions to each show where there is an admission charge to witness the quality of the show.

b. *Refund for shows.* If a show is not held, refunds will be made according to procedures established by the secretary of the fair.

371—1.5(173) Returned checks. In accordance with fair board policy, a fee of $20 will be charged to anyone whose issued document is not honored by the issuing institution, and the issuer could be liable for up to three times the amount of the document with a maximum charge of $500 in accordance with Iowa Code section 554.3513.

371—1.6(173) Records. The Iowa state fair board will retain its records in accordance with the standards of the records management manual of the Iowa state records commission.

371—1.7(173) Liability insurance. All concessionaires, commercial exhibitors and contract holders who utilize the fairgrounds during the interim shall carry liability insurance and shall name the state of Iowa; the Iowa state fair authority; and their officers, employees and agents as additional insured and shall furnish a certificate of such insurance to the authority.

371—1.8(173) Hiring. A person who has served as a member of the Iowa state fair board shall not, within a period of two years after termination of membership on the board, accept employment with the Iowa state fair.

These rules are intended to implement Iowa Code sections 173.14 and 173.15.