RA 26-400

SECRETARY OF STATE[721]

Regulatory Analysis

Notice of Intended Action to be published: 721—Chapter 12
"Disaster Recovery for Out-of-State Entities"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A and 29C.24(7)

State or federal law(s) implemented by the rulemaking: Iowa Code chapter 17A and sections 29C.3 and 29C.24

Public Hearing

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

December 1, 2026 9 to 10 a.m.	Via videoconference call: meet.google.com/bgd-sijt-agq

Public Comment

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

Carl Dietz
Office of the Secretary of the State
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Email: carl.dietz@sos.iowa.gov

Purpose and Summary

This rulemaking proposes a new Chapter 12 in order to remove rule 721—12.1(29C) since it is unnecessary and renumber rules 721—12.2(29C) and 721—12.3(29C) accordingly.

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 anticipated from this proposed rulemaking.

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

This rulemaking does not create or alter benefits.

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:**

There is no economic impact of the proposed rulemaking.

- **Qualitative description of impact:**

There is no qualitative impact of the proposed rulemaking.

3. **Costs to the State:**

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

No costs to the Secretary of State or any other agency are anticipated.

- **Anticipated effect on State revenues:**

No effect on State revenues is anticipated.

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

There is no cost difference between adoption of the proposed rulemaking and inaction.

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

No less costly methods or less intrusive methods exist.

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:**

No alternative methods were considered.

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?

The proposed rulemaking does not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 721—Chapter 12 and adopt the following **new** chapter in lieu thereof:

CHAPTER 12
DISASTER RECOVERY FOR OUT-OF-STATE ENTITIES

721—12.1(29C) Notification and insurance verification. Within 15 days of entering the state in response to a disaster in accordance with Iowa Code section 29C.24, an entity shall file with the secretary of state the following information, from the secretary of state's prescribed form for out-of-state corporations for disaster recovery.

1. Name.
2. State of domicile.
3. Principal business address.
4. Federal employer identification number.
5. The date the entity entered the state.
6. Contact information.
7. Certificate of worker compensation insurance.

8. Certificate of liability insurance.

9. A signed statement that the out-of-state business is in the state for the purpose of responding to a declared state disaster or emergency.

721—12.2(29C) Transmittal of notification. Once the form from rule 721—12.1(29C) is processed, the secretary of state shall transmit the information to the department of revenue and the homeland security and emergency management department. The secretary of state shall provide the information to other state and local government agencies at their request.

These rules are intended to implement Iowa Code sections 29C.3 and 29C.24.