

10A.104 Powers and duties of the director.

The director or designees of the director shall:

1. Coordinate the internal operations of the department and develop and implement policies and procedures designed to ensure the efficient administration of the department.
2. Appoint the administrators of the divisions within the department and all other personnel deemed necessary for the administration of [this chapter](#), except the state public defender, assistant state public defenders, administrator of the racing and gaming commission, labor commissioner, workers' compensation commissioner, director of the Iowa state civil rights commission, and members of the employment appeal board. All persons appointed and employed in the department are covered by the provisions of [chapter 8A, subchapter IV](#), but persons not appointed by the director are exempt from the merit system provisions of [chapter 8A, subchapter IV](#).
3. Prepare an annual budget for the department.
4. Develop and recommend legislative proposals deemed necessary for the continued efficiency of department functions, and review legislative proposals generated outside of the department which are related to matters within the department's purview.
5. Except for rules required or authorized by law to be adopted by another entity, adopt rules deemed necessary for the implementation and administration of [this chapter](#) in accordance with [chapter 17A](#).
6. Issue subpoenas and distress warrants, administer oaths, and take depositions in connection with audits, appeals, investigations, inspections, and hearings conducted by the department. If a person refuses to obey a subpoena or distress warrant issued by the department or otherwise fails to cooperate in proceedings of the department, the director may enlist the assistance of a court of competent jurisdiction in requiring the person's compliance. Failure to obey orders of the court renders the person in contempt of the court and subject to penalties provided for that offense.
7. Enter into contracts for the receipt and provision of services as deemed necessary. The director and the governor may obtain and accept federal grants and receipts to or for the state to be used for the administration of [this chapter](#).
8. Administer and enforce [this chapter](#), and [chapters 99B, 135B, 135C, 135H, 135J, 135O, 137C, 137D, and 137F](#).
9. Enter into and implement agreements or compacts between the state of Iowa and Indian tribes located in the state which are entered into under the authority of the Indian Gaming Regulatory Act, 25 U.S.C. §2701 et seq. The agreements or compacts shall contain provisions intended to implement the policies and objectives of the Indian Gaming Regulatory Act.
10. Administer inspection and licensing of social and charitable gambling pursuant to [chapter 99B](#).
11. Administer inspections and licensing of hotels and home food processing establishments.
12. Administer inspections and licensing of food establishments, including but not limited to restaurants, vending machines, food processing plants, grocery stores, convenience stores, temporary food establishments, and mobile food units.
13. Administer inspections for sanitation in any locality of the state upon the written petition of five or more residents of the locality.
14. Administer inspections of cosmetology establishments under [chapter 157](#).
15. Perform fire control duties pursuant to [section 10A.511](#).
16. Serve as the state building code commissioner pursuant to [section 103A.4](#) and administer [chapters 101, 101A, 101B, 103, 103A, 104A, 104B, and 105](#).
17. Establish, publish, and enforce rules not inconsistent with law for the enforcement of those provisions of [Title IV, subtitle 2](#), the administration and supervision of which are imposed upon the department.
18. Enforce the law relative to "Health-related Professions", [Title IV, subtitle 3](#), excluding [chapter 147A](#).

19. Regulate and supervise real estate appraisers under [chapter 543D](#) and real estate appraisal management companies under [chapter 543E](#).

86 Acts, ch 1245, §504; 88 Acts, ch 1273, §3; 89 Acts, ch 231, §2 – 4; 92 Acts, ch 1141, §1; 93 Acts, ch 53, §1; 94 Acts, ch 1076, §1; 95 Acts, ch 67, §2; 96 Acts, ch 1052, §1; 96 Acts, ch 1079, §1; 98 Acts, ch 1162, §1, 30; 98 Acts, ch 1202, §1, 46; 2000 Acts, ch 1155, §1; 2002 Acts, ch 1162, §2, 3, 15, 75; 2003 Acts, ch 145, §128; 2004 Acts, ch 1026, §1; 2008 Acts, ch 1184, §34; 2009 Acts, ch 136, §1; 2011 Acts, ch 16, §1, 5; 2014 Acts, ch 1026, §4; 2016 Acts, ch 1086, §1; 2017 Acts, ch 160, §4; 2022 Acts, ch 1129, §1; 2023 Acts, ch 19, §1429, 1430; 2023 Acts, ch 99, §1; 2023 Acts, ch 108, §30

Referred to in §216A.167

Subsections 2, 5, and 14 amended

NEW subsections 15, 16, 17, 18, and 19