

## **HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]**

[Prior to 12/23/92, see Disaster Services Division[607]; renamed Emergency Management Division by  
1992 Iowa Acts, chapter 1139, section 21]

[Prior to 3/31/04, see Emergency Management Division[605]; renamed Homeland Security and Emergency Management  
Division by 2003 Iowa Acts, chapter 179, section 157]

[Prior to 10/16/13, see Homeland Security and Emergency Management Division[605]; renamed Homeland Security and Emergency  
Management Department by 2013 Iowa Acts, House File 307, section 2]

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## CHAPTER 1 ORGANIZATION

[Prior to 4/18/90, Public Defense Department[650], Ch 5]  
[Prior to 5/12/93, Disaster Services Division[607], Ch 1]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/14/31

**605—1.1(29C) Description.** The department of homeland security and emergency management is created in Iowa Code chapter 29C. The department of homeland security and emergency management shall be under the management of a director appointed by the governor subject to senate approval. The director shall be vested with the authority to administer homeland security and emergency management affairs in this state and is responsible for preparing and executing the homeland security and emergency management programs of this state subject to the direction of the governor. The director, upon the direction of the governor, shall carry out the duties and responsibilities detailed in applicable Iowa Code provisions, including Iowa Code chapters 29C; 29D as enacted by 2025 Iowa Acts, Senate Files 583 and 619; 30; 34A; and 418. The director shall also carry out duties and responsibilities of applicable federal code and regulations. The director, with the approval of the governor, may employ a deputy administrator and such technical, clerical, and other personnel and make such expenditures within the appropriation or from other funds made available to the department for purposes of homeland security and emergency management, as may be necessary to administer the purposes of Iowa Code chapters 29C; 29D as enacted by 2025 Iowa Acts, Senate Files 583 and 619; 30; 34A; and 418.

[ARC 9815C, IAB 12/10/25, effective 1/14/26]

**605—1.2(29C) Definitions.** The following definitions are applicable to the homeland security and emergency management department:

*“Comprehensive countywide emergency operations plan”* means documents that describe the actions to be taken to lessen the effects of, prepare for, respond to and recover from a disaster by county and city governments, quasi-government agencies, and private organizations that have emergency operations responsibility. The plan is multihazard in scope (covers all hazards for the county) and provides for a coordinated effort. It references authority, assigns functional responsibilities, provides for direction and control, and ensures the effective use of resources.

*“Department”* means the same as defined in Iowa Code chapter 29C.

*“Director”* means the same as defined in Iowa Code chapter 29C.

*“Disaster”* means the same as defined in Iowa Code chapter 29C.

*“Emergency”* means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action to protect life or property. Such actions are normally handled in a routine manner by law enforcement, fire protection, public works, utilities, and emergency medical services.

*“Emergency management”* means lessening the effects of, preparations for, operations during, and recovery from natural, technological or human-caused disasters. These actions are broad in scope and include but are not limited to disaster plans, mitigation, preparedness, response, warning, emergency operations, training, exercising, research, rehabilitation, and recovery activities.

*“Emergency management performance grant program”* means a program by which federal funds are utilized to pay no more than 50 percent of the salaries, benefits, travel, and office expenses incurred in the administration of the state and local emergency management program.

*“Homeland security”* means the detection, prevention, preemption, and deterrence of and protection from attacks targeted at state territory, population, and infrastructure.

*“Joint commissions”* means two or more local emergency management commissions acting as a joint commission for the coordination and administration of emergency management as described in Iowa Code section 29C.9.

*“Local commission”* means the local emergency management commission as defined in Iowa Code section 29C.9.

*“Mitigation”* means any action taken to reduce or eliminate the long-term risk to human life and property from hazards. Examples of mitigation activities include building codes, land use management,

floodplain management, building of protective structures such as flood walls, public education, research, risk mapping, safety codes, and statutes and ordinances.

*“Preparedness”* means any activity taken in advance of an emergency or disaster that improves emergency readiness posture and develops or expands operational capabilities. Examples of preparedness activities include but are not limited to continuity of government, emergency alert and warning systems, emergency communications, emergency operations centers, comprehensive countywide emergency operations plans, emergency public information materials, exercise of plans and systems, hazard analysis, mutual aid agreements, resource management, and the training and equipping of personnel.

*“Recovery”* means short-term activity to return vital life support systems to minimum operating standards and long-term activity designed to return the affected people and areas to their predisaster conditions. Examples of recovery activities are crisis counseling, damage assessment, debris clearance, decontamination, disaster insurance payments, disaster loans and grants, disaster unemployment assistance, public information, community outreach, temporary housing, and reconstruction.

*“Response”* means any action taken immediately before, during, or directly after an emergency or disaster occurs, which is intended to save lives, minimize injuries, lessen property and environmental damage and enhance the effectiveness of recovery. Examples of response activity include rendering of assistance by emergency responders, activation of the emergency operations center, emergency alert system activation, emergency instructions to the public, emergency plan implementation, public official alerting, evacuation, sheltering of victims, search and rescue, resource mobilization, and warning system activation.

[ARC 9815C, IAB 12/10/25, effective 1/14/26]

**605—1.3(29C) Facilitating business rapid response to state-declared disasters.** The implementation of business rapid response to state-declared disasters is addressed in the rules of the secretary of state in 721—Chapter 12 and the department of revenue in 701—Chapter 276.

[ARC 9815C, IAB 12/10/25, effective 1/14/26]

These rules are intended to implement Iowa Code chapters 29C; 29D as enacted by 2025 Iowa Acts, Senate Files 583 and 619; 30; 34A; and 418.

[Filed 4/29/77, Notice 1/12/77—published 5/18/77, effective 6/22/77]

[Filed 3/20/90, Notice 2/7/90—published 4/18/90, effective 5/23/90]

[Filed 4/22/93, Notice 3/17/93—published 5/12/93, effective 6/16/93]

[Filed 7/18/00, Notice 5/17/00—published 8/9/00, effective 9/13/00]

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[Filed ARC 3056C (Notice ARC 2964C, IAB 3/15/17), IAB 5/10/17, effective 6/14/17]

[Filed ARC 9815C (Notice ARC 9609C, IAB 10/15/25), IAB 12/10/25, effective 1/14/26]

CHAPTER 2  
UNIFORM RULES ON AGENCY PROCEDURE

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/14/31

The department hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly's website.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

**605—2.1(17A,29C) Petitions for rulemaking.** The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to petitions for rulemaking, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly's website. For purposes of this rule, the following designations are made:

**2.1(1)** In lieu of the words “(agency name)”, insert “Iowa department of homeland security and emergency management”.

**2.1(2)** In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.1(3)** In lieu of the words “(designate official by full title and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

**605—2.2(17A,29C) Declaratory orders.** The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to declaratory orders, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly's website. For purposes of this rule, the following designations are made:

**2.2(1)** In lieu of the words “(agency name)” or “(designate agency)”, insert “Iowa Department of Homeland Security and Emergency Management”.

**2.2(2)** In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.2(3)** In lieu of the words “(designate official by full title and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.2(4)** In lieu of the words “Within \_\_\_\_ days (15 or less)” found in rule X.2, insert “Within 15 days”.

**2.2(5)** In lieu of the words “within \_\_\_\_ days of the filing of a petition” in rule X.3(1), insert “within 20 days of the filing of a petition”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

**605—2.3(17A,29C) Agency procedure for rulemaking.** The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to agency procedure for rulemaking, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly's website. For purposes of this rule, the following designations are made:

**2.3(1)** In lieu of the words “(commission, board, council, director)”, insert “director”.

**2.3(2)** In lieu of the words “(specify time period)”, insert “one year”.

**2.3(3)** In lieu of the words “(identify office and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.3(4)** In lieu of the words “(designate office and telephone number)”, insert “the director at 515.725.3231”.

**2.3(5)** In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.3(6)** In lieu of the words “(specify the office and address)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.3(7)** In lieu of the words “(agency head)”, insert “director”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

**605—2.4(17A,29C) Fair information practices.** The Iowa department of homeland security and emergency management with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to fair information practices, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly’s website. For purposes of this rule, the following designations are made:

**2.4(1)** In lieu of the words “(official or body issuing these rules)”, insert “Iowa Department of Homeland Security and Emergency Management”.

**2.4(2)** In lieu of the words “(insert agency head)”, insert “director”.

**2.4(3)** In lieu of the words “(insert agency name and address)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.4(4)** In lieu of the words “(insert customary office hours and, if agency does not have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)”, insert the words “at any time from 9 a.m. to 12 noon and from 1 to 4 p.m., Monday through Friday, excluding legal holidays, unless the person exercising such right and the lawful custodian agree on a different time”.

**2.4(5)** In lieu of the words “(specify time period)”, insert the words “30 minutes”.

**2.4(6)** In lieu of the words “(designate office)”, insert the words “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

**2.4(7)** Delete the words “(and, where applicable, the time period during which the record may be disclosed)”.

**2.4(8)** Delete the words “(Additional requirements may be necessary for special classes of records).”

**2.4(9)** Delete the words “(Each agency should revise its forms to provide this information).”

**2.4(10)** Federal records.

*a.* For federal records maintained by the department, a subject will provide a Privacy Act release in accordance with the requirements of Title 5 United States Code, Section 552, in writing, and signed by the subject of the record.

*b.* For federal records and forms, the United States government’s determination of routine use and the consequences of failure to provide required or optional information as requested shall be provided to the supplier of the information.

*c.* Pursuant to Iowa Code section 22.9, the department finds that maintenance, use, or disclosure of federal records described in this rule, except as allowed by federal law and regulation, would result in the denial of United States government funds, services and essential information that would otherwise definitely be available and that have been available to the department in the past. The department has the authority to enter into agreements and contracts to obtain funds pursuant to Iowa Code chapter 29C. The department makes such agreements and contracts with the Federal Emergency Management Agency (FEMA) under the authority of Public Law 93-288 (The Robert T. Stafford Disaster Relief and Emergency Assistance Act) and an Emergency Management Performance Grant Agreement that specify categories of records and information that must be kept confidential. In addition, 44 CFR 5.71 specifies categories of records that are exempt from disclosure under 5 U.S.C. 552. These records include those containing personally identifiable information concerning applicants to individual assistance and mitigation assistance programs that are administered by the state under a presidentially declared disaster. Nuclear Regulatory Commission Title 10 CFR 73.21 relates to the physical protection of nuclear power plants and materials. This regulation requires that certain information contained in plans and documents on file with the department be kept confidential and include information concerning the physical protection at fixed sites; physical protection in transit; inspections, audits and evaluations; and correspondence insofar as it contains safeguards information.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

**605—2.5(17A,29C) Contested cases.** The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to contested cases, which are published at [www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf](http://www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf) on the general assembly's website. For purposes of this rule, the following designations are made:

**2.5(1)** In lieu of the words “(agency name)” or “agency”, insert “the Iowa department of homeland security and emergency management”.

**2.5(2)** In lieu of the words “(designate official)”, insert “director”.

**2.5(3)** In lieu of the words “(specify rule number)”, insert “rule”.

**2.5(4)** In lieu of the words “(agency to designate person to whom violations should be reported)”, insert “director”.

**2.5(5)** In lieu of the words “(board, commission, director, as appropriate)”, insert “the director”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

These rules are intended to implement Iowa Code chapters 17A and 29C.

[Filed 7/18/90, Notice 6/13/90—published 8/8/90, effective 9/12/90]

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[Filed ARC 9816C (Notice ARC 9610C, IAB 10/15/25), IAB 12/10/25, effective 1/14/26]



CHAPTER 3  
DECLARATORY ORDERS  
Rescinded **ARC 9816C**, IAB 12/10/25, effective 1/14/26

CHAPTER 4  
AGENCY PROCEDURE FOR RULE MAKING  
Rescinded **ARC 9816C**, IAB 12/10/25, effective 1/14/26

CHAPTER 5  
FAIR INFORMATION PRACTICES  
Rescinded **ARC 9816C**, IAB 12/10/25, effective 1/14/26

CHAPTER 6  
CONTESTED CASES  
Rescinded **ARC 9816C**, IAB 12/10/25, effective 1/14/26



CHAPTER 7  
LOCAL EMERGENCY MANAGEMENT

[Prior to 4/18/90, Public Defense Department[650], Ch 7]  
[Prior to 5/12/93, Disaster Services Division[607], Ch 7]

Chapter rescission date pursuant to Iowa Code section 17A.7: 6/18/30

**605—7.1(29C) Scope and purpose.** These rules apply to each local emergency management commission as provided for in Iowa Code section 29C.9. These rules are intended to establish standards for emergency management and to provide local emergency management commissions with the criteria to assess and measure their capability to mitigate against, prepare for, respond to, and recover from emergencies or disasters.

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

**605—7.2(29C) Definitions.** For purposes of this chapter, the following definitions will apply:

“*Commission*” means the same as defined in Iowa Code section 29C.2.

“*Local emergency management agency*” means the same as defined in Iowa Code section 29C.2.

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

**605—7.3(29C) Local emergency management commission.**

**7.3(1)** Local emergency management commissions shall be consistent with Iowa Code section 29C.9.

**7.3(2)** Local commission bylaws. The commission shall develop bylaws to specify, at a minimum, the following information:

- a. The name of the commission.
- b. The list of members.
- c. The date for the commencement of operations.
- d. The commission’s mission.
- e. The commission’s powers and duties.
- f. The manner for financing the commission and its activities and maintaining a budget therefor.
- g. The manner for acquiring, holding and disposing of property.
- h. The manner for electing or appointing officers and the terms of office.
- i. The manner by which members may vote.
- j. The manner for appointing, hiring, disciplining and terminating employees.
- k. The rules for conducting meetings of the commission.
- l. Any other necessary and proper rules or procedures.

The bylaws, as adopted, shall be signed by each member of the commission. The commission shall record the signed bylaws with the county recorder and will forward a copy of the bylaws to the director of the department.

**7.3(3)** Commission business. Commission business shall be conducted in compliance with Iowa Code chapters 21 and 22.

**7.3(4)** The commission is tasked with the following minimum duties and responsibilities.

a. *Administration and finance.*

(1) Establish and maintain a local emergency management agency responsible for the local emergency management program. The primary responsibility of this agency is to develop and maintain a comprehensive emergency management capability in cooperation with other governmental agencies, volunteer organizations, and private sector organizations.

(2) Determine the mission of the agency and its program.

(3) Develop and adopt a budget in accordance with the provisions of Iowa Code chapter 24 and section 29C.17 in support of the commission and its programs. The commission shall be the fiscal authority, and the chairperson or vice chairperson shall be the certifying official for the budget.

(4) Appoint an emergency management coordinator who meets the qualifications established in subrule 7.4(3).

(5) Develop and adopt policies defining the rights and liabilities of commission employees, emergency workers and volunteers.

(6) Provide direction for the delivery of the emergency management services of planning, administration, coordination, training, exercising, and support for local governments and their departments.

(7) Coordinate emergency management activities and services among county and city governments and the private sector agencies under the jurisdiction of the commission.

*b. Hazard identification, risk assessment, and capability assessment.*

(1) The commission should continually identify credible hazards that may affect its jurisdiction, the likelihood of occurrence, and the vulnerability of the jurisdiction to such hazards. Hazards to be considered should include natural, technological, and human-caused.

(2) The commission should conduct an analysis to determine the consequences and impact of identified hazards on the health and safety of the public, the health and safety of responders, property and infrastructure, critical and essential facilities, public services, the environment, the economy of the jurisdiction, and government operations and obligations.

(3) The hazard analysis should include identification of vital personnel, systems, operations, equipment, and facilities at risk.

(4) The commission should identify mitigation and preparedness considerations based upon the hazard analysis.

(5) A comprehensive assessment of the emergency management program elements should be conducted periodically to determine the operational capability and readiness of the jurisdiction to address the identified hazards and risks.

*c. Resource management.* The commission shall:

(1) Develop a method to effectively identify, acquire, distribute, account for, and utilize resources essential to emergency functions.

(2) Utilize, to the maximum extent practicable, the services, equipment, supplies and facilities of the political subdivisions that are members of the commission.

(3) Identify resource shortfalls and develop the steps and procedures necessary to overcome such shortfalls.

(4) Conduct mutual aid assistance in accordance with Iowa Code sections 29C.11 and 29C.22.

*d. Planning.*

(1) The commission shall develop a comprehensive emergency plan that is capabilities-based, multihazard and multifunctional in nature. The plan will conform to the Comprehensive Preparedness Guide 101 as established by the Federal Emergency Management Agency published 2025 with any modifications as determined and communicated by the department.

(2) Plans shall contain the following common elements:

1. Identification of the functional roles and responsibilities of internal and external agencies, organizations, departments, and individuals during mitigation, preparedness, response and recovery.

2. Establishment and identification of lines of authority for those agencies, organizations, departments, and individuals.

(3) Plans shall be regularly reviewed and amended as appropriate in accordance with a five-year schedule established by the commission, which shall include, at a minimum, a complete review, and amendment as appropriate, at a minimum of every five years. However, a review, and amendment as appropriate, of the hazardous materials portion and of a minimum of 20 percent of the remaining annexes or portions of the plan shall be conducted on a yearly basis. The complete operations plan will be reviewed entirely, and amended as appropriate, every five years. A copy of the portions of the plan that are reviewed, regardless of amendment, must be certified and submitted annually as determined by the department for approval.

(4) To be certified, the plan must be adopted annually by the members of the commission and attested to by the chairperson and the local emergency management coordinator on a signature document as specified by the department.

(5) The operations plan shall include provisions for damage assessment.

(6) Hazardous materials plans will comply with the minimum requirements of federal law, 42 U.S.C. §11003 as of January 1, 2025.

(7) Counties designated as risk or host counties for a nuclear facility emergency planning zone shall meet the standards and requirements as published by the United States Nuclear Regulatory Commission and the Federal Emergency Management Agency in NUREG-0654, FEMA-REP-1, Rev. 2, December 2019.

(8) Commissions participating in or conducting exercises or experiencing real disaster incidents that require after-action and corrective action reports have 180 days from the date of the publication of the corrective action report to incorporate the corrective actions, as appropriate, into the commission's plans.

(9) Within 60 calendar days from the receipt of the plan, the department will review plans or portions of plans submitted by a commission for approval. The department will notify the local emergency management agency in writing of the approval or nonapproval of the plan. If the plan is not approved, the department shall state the specific standard or standards that are not being met and offer guidance on how the plan may be brought into compliance.

(10) In accordance with Iowa Code sections 29C.6 and 29C.7, state participation in funding financial assistance in a presidentially or non-presidentially declared disaster is contingent upon the commission's having on file a state-approved, comprehensive emergency plan as provided in Iowa Code section 29C.9(8). A comprehensive emergency plan will not be considered approved by the department per Iowa Code section 29C.9(8) unless such plan adheres to and meets the minimum standards as established herein.

*e. Direction, control and coordination.*

(1) The commission shall execute and enforce the orders or rules made by the governor or under the governor's authority.

(2) The commission shall establish and maintain the capability to effectively direct, control and coordinate emergency and disaster response and recovery efforts.

(3) The commission shall establish a means of interfacing on-scene management with direction and control personnel and facilities.

(4) The commission should actively support use of the Incident Command System (ICS) model by all emergency and disaster response agencies within the jurisdiction.

*f. Damage assessment.*

(1) The commission shall develop and maintain a damage assessment capability consistent with local, state and federal requirements and shall designate individuals responsible for the function of damage assessment.

(2) Individuals identified by the commission to perform the function of damage assessment shall be trained through a course of instruction that may be delivered and developed by the commission and will be approved by the department.

*g. Communications and warning.*

(1) The commission should identify a means of disseminating a warning to the public, key officials, emergency response personnel and those other persons within the jurisdiction who may be potentially affected.

(2) The commission should identify the primary and secondary means of communications to support direction, control, and coordination of emergency management activities.

*h. Operations and procedures.* The commission should encourage public and private agencies, which have defined responsibilities in the comprehensive emergency plan, to develop standard operating procedures, policies, and directives in support of the plan.

*i. Training.*

(1) The commission shall require the local emergency management coordinator to meet the minimum training requirements as established by the department and identified in subrule 7.4(4).

(2) The commission should, in conjunction with the local emergency management coordinator, arrange for and actively support ongoing emergency management-related training for local public officials, emergency responders, volunteers, and support staff.

(3) Persons responsible for emergency plan development or implementation should receive training specific to, or related to, hazards identified in the local hazard analysis.

(4) The commission should encourage individuals, other than the emergency management coordinator, with emergency management responsibilities as defined in the comprehensive emergency plan, to

complete, within two years of appointment, training consistent with their emergency management responsibilities.

(5) The commission should encourage all individuals with emergency management responsibilities to maintain current and adequate training consistent with their responsibilities.

*j. Exercises.*

(1) The commission shall ensure that exercise activities are conducted annually in accordance with local, state and federal requirements.

(2) Exercise activities should follow a progressive five-year plan that is designed to meet the needs of the jurisdiction.

(3) Local entities assigned to an exercise should actively participate and support the role of the entity in the exercise.

(4) Local entities assigned to an exercise should actively participate in the design, development, implementation, and evaluation of the exercise activity.

*k. Public education and information.*

(1) The commission should designate the individual or individuals who are responsible for public education and information functions.

(2) The commission should ensure a public information capability, to include:

1. Designated public information personnel trained to meet local requirements.
2. A system of receiving and disseminating emergency public information.
3. A method to develop, coordinate, and authorize the release of information.
4. A plan to communicate with access and functional needs populations.

(3) The commission should actively support the development of capabilities to electronically collect, compile, report, receive, and transmit emergency public information.

**7.3(5)** Two or more commissions. Two or more commissions may, upon review by the director and with the approval of their respective boards of supervisors, cities, and sheriffs, enter into agreements pursuant to Iowa Code chapter 28E for the joint coordination and administration of emergency management services throughout the multicounty area.

[ARC 9271C, IAB 5/14/25, effective 6/18/25; ARC 9639C, IAB 10/29/25, effective 12/3/25]

**605—7.4(29C) Local emergency management coordinator.**

**7.4(1)** Each commission shall appoint a local emergency management coordinator who serves at the pleasure of the commission. The commission shall delegate to the emergency management coordinator the authority to fulfill the commission's and coordinator's duties as provided in Iowa Code sections 29C.9 and 29C.10, as further described in subrule 7.3(4), and as otherwise assigned and authorized by the commission.

**7.4(2)** Political activity.

*a.* A member of a commission shall not be appointed as the local emergency management coordinator.

*b.* An individual serving in a full-time or part-time governmental position incompatible with the position of coordinator shall not be appointed as the emergency management coordinator.

*c.* Any employee of an organization for emergency management shall not:

(1) During working hours or when performing official duties or when using public equipment or at any time on public property, take part in any way in soliciting any contribution for any political party or any person seeking political office.

(2) Seek or attempt to use any political endorsement in connection with any appointment to a position created under this rule.

(3) Use any official authority or influence for the purpose of interfering with an election or affecting the results of an election.

**7.4(3)** Local emergency management coordinator qualifications. Each person appointed after July 1, 1990, as a local emergency management coordinator shall meet the following requirements with regard to education, abilities, experience, knowledge and skills:

*a.* Demonstrate a knowledge of local, state, and federal laws and regulations pertaining to emergency management.

- b.* Demonstrate an understanding of communications systems, frequencies, and equipment capabilities.
- c.* Demonstrate a knowledge of basic accounting principles and practices.
- d.* Express oneself clearly and concisely, both orally and in writing.
- e.* Establish and maintain effective working relationships with employees, public officials, and the general public.
- f.* Prepare accurate reports.
- g.* Write plans, direct the use of resources, and coordinate emergency operations under extraordinary circumstances.
- h.* Exercise good judgment in evaluating situations and making decisions.
- i.* Coordinate with agencies at all levels of government.
- j.* Have graduated from an accredited four-year college or university and have two years of responsible experience in emergency management, public or business administration, public relations, military preparedness or related work; or have an equivalent combination of experience and education, substituting 30 semester hours of graduate study for each year of the mandated work experience to a maximum of two years; or have an equivalent combination of experience and education, substituting one year of experience in the aforementioned areas for each year of college to a maximum of four years; or be an employee with current continuous experience in the state classified service that includes the equivalent of 18 months of full-time experience as an emergency management operations officer; or be an employee with current continuous experience in the state classified service that includes the equivalent of 36 months of full-time experience as a local emergency management assistant.

**7.4(4)** Local emergency management coordinator continuing education requirements. Each local emergency management coordinator shall meet the following educational development requirements. The director may extend the time frame for meeting these continuing education requirements upon request from the commission.

- a.* Within two years of appointment as a local emergency management coordinator, the person must complete a set of study courses prescribed by the director and developed in consultation with the Iowa Emergency Management Association. The listing of courses will be maintained on the department's website.
- b.* Within two years of appointment as a local emergency management coordinator, the person must complete the professional development series of courses as prescribed by the Federal Emergency Management Agency.
- c.* Upon completion of the requirements established in paragraphs 7.4(4) "a" and "b," a person must complete a minimum of 24 hours of state-approved emergency management training every 12 months as determined and communicated by the department.
- d.* The local emergency management coordinator must document completion of courses by submitting a copy of the certificate of completion, a letter indicating satisfactory completion, or other appropriate documentation.
- e.* The department, in consultation with the Iowa Emergency Management Association, may substitute courses when deemed appropriate.
- f.* An emergency management coordinator who has met the baseline requirements prior to October 1, 2006, will not be required to take any of the study courses prescribed by the director in accordance with paragraph 7.4(4) "a" to reestablish the person's baseline.

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

**605—7.5(29C) Commission personnel.**

**7.5(1)** Personnel for the commission, including the coordinator, operations officers, and emergency management assistants, are to be considered as employees of that commission.

**7.5(2)** The commission shall determine the personnel policies of the agency to include holidays, rate of pay, sick leave, vacation, and health benefits. The commission may adopt existing county or city policies in lieu of writing the commission's own policies.

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

**605—7.6(29C) Damage assessment and financial assistance for disaster recovery.** Disaster-related expenditures and damages incurred by local governments, private nonprofit entities, individuals, and businesses may be reimbursable and covered under certain state and federal disaster assistance programs. Initial damage reports and preliminary damage assessments shall be provided to the department prior to the governor's making a determination that the magnitude and impact are sufficient to warrant a request for a presidential disaster declaration or joint preliminary damage assessment.

**7.6(1) Local preliminary damage assessment and impact statement.** The local emergency management coordinator shall be responsible for the coordination and collection of initial damage reports, damage assessment and impact statement information immediately following a disaster that affects the jurisdiction.

**7.6(2) Damage assessment guidance and forms to be provided.** The department will provide guidance regarding the methodologies to be used in collecting damage assessment and impact statement information and shall provide the forms and format by which this information shall be recorded.

**7.6(3) Joint preliminary damage assessment.** Once the governor has determined that a request for a presidential disaster declaration is appropriate, joint preliminary damage assessment teams, consisting of local, state, and federal inspectors, may assess the damages and costs incurred or to be incurred in responding to and recovering from the disaster. All affected city, municipality, or county governments shall be required to provide assistance to the joint preliminary damage assessment teams for conducting damage assessments. The jurisdiction may be required to develop maps to show the damaged areas and to compile lists of names and telephone numbers of individuals, businesses, private nonprofit entities, and governmental agencies sustaining disaster response and recovery costs or damages. This joint preliminary damage assessment may be required before the request for presidential declaration is formally transmitted to the Federal Emergency Management Agency.

**7.6(4) Public assistance and hazard mitigation applicant briefing.** In the event that a presidential disaster declaration is received, affected jurisdictions and eligible private nonprofit entities should be prepared to attend a public assistance and hazard mitigation briefing to acquire the information and documents necessary to make their formal applications for public and hazard mitigation assistance. Failure to comply with the deadlines for making application for public and mitigation assistance as established in 44 CFR Parts 204 and 206 and the Stafford Act (PL 923-288) may jeopardize or eliminate the jurisdiction's or private nonprofit entity's ability to receive assistance.

**7.6(5) Forfeiture of assistance funding.** Failure to provide timely and accurate damage assessment and impact statement information may jeopardize or eliminate an applicant's ability to receive federal and state disaster assistance funds that may otherwise be available.

State participation in funding of disaster financial assistance in a presidentially declared disaster is contingent upon the commission's having on file a state-approved, comprehensive emergency plan that meets the standards as provided in paragraph 7.3(4) "d."

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

**605—7.7(29C) Emergency management performance grant (EMPG) program.** Emergency management is a joint responsibility of the federal government, the states, and their political subdivisions. "Emergency management" means all those activities and measures designed or undertaken to mitigate against, prepare for, respond to, or recover from the effects of a human-caused, technological, or natural hazard. The purpose of the EMPG program is to provide the necessary assistance to commissions to ensure that a comprehensive emergency system exists for all hazards.

**7.7(1) Eligibility.** Commissions may be eligible for funding under the state and EMPG program by meeting the requirements, conditions, duties and responsibilities for commissions and local emergency management coordinators established in rules 605—7.3(29C) and 605—7.4(29C). In addition, the commission will ensure that the coordinator works an average of 20 hours per week or more toward the emergency management effort. Commissions seeking funding for full-time coordinators as described in subrule 7.7(3) will ensure that the coordinator works an average of 40 hours per week toward the emergency management effort.

**7.7(2) *Application for funding.*** Commissions may apply for funding under the EMPG program by entering into an agreement with the department and by completing the necessary application and forms, as published and distributed yearly to each commission by the department.

**7.7(3) *Allocation and distribution of funds.***

*a.* The department shall use a formula for the allocation of funds based upon the number of eligible applicants, the part-time or full-time status of the coordinator, 50 percent equal-share base, and 50 percent population base. The total allocation of funds for an applicant may not exceed the lesser of \$39,000 or the amount requested by the applicant.

*b.* The formula shall be applied in the following manner: The pass-through amount is divided equally between an equal-share base and a population base.

(1) The amount of total equal-share base dollars is divided by the total number of EMPG counties to establish a per-county average. For counties with part-time coordinators, the per-county average is reduced by 50 percent to determine the part-time county allocation. The total baseline dollar amount, minus the cumulative total dollars already allocated to part-time counties, is then divided by the total number of counties with full-time coordinators to determine the full-time county allocation.

(2) The population base amount for each county is determined by adding the populations of all counties together; then each county's population is divided by that total population to determine a percentage. The total population base dollars are then multiplied by a county's percentage to determine that county's share of the population dollars.

*c.* Funds will be reimbursed to commissions on a state fiscal year, quarterly basis, and such reimbursement will be based on eligible claims made against the commission's allocation. In no case will the allocation or reimbursement of funds be greater than one-half of the total cost of eligible emergency management-related expenses.

**7.7(4) *Compliance.*** The director may withhold or recover EMPG funds from any commission for its failure or its coordinator's failure to meet any of the following conditions:

- a.* Appoint a qualified coordinator.
- b.* Comply with continuing education requirements.
- c.* Adopt a comprehensive emergency plan that meets current standards.
- d.* Determine the mission of its agency.
- e.* Show continuing progress in fulfilling the commission's duties and obligations.
- f.* Conduct commission business according to the guidelines and rules established in this chapter.
- g.* Enter into and file a cooperative agreement with the department by the stipulated filing date.
- h.* Abide by state and federal regulations governing the proper disbursement and accountability for federal funds, equal employment opportunity and merit system standards.
- i.* Accomplish work specified in one or more program areas, as agreed upon in the cooperative agreement, or applicable state or federal rule or statute.
- j.* Provide the prescribed matching financial contribution.
- k.* Expend funds for authorized purposes or in accordance with applicable laws, regulations, terms and conditions.
- l.* Respond to, or cooperate with, state efforts to determine the extent and nature of compliance with the cooperative agreement.

**7.7(5) *Serious nonperformance problems.*** If a commission cannot demonstrate achievement of agreed-upon work products, the department is empowered to withhold reimbursement or to recover funds from the commission. Corrective action procedures are designed to focus the commission's attention on nonperformance problems and to bring about compliance with the cooperative agreement. Corrective action procedures, which could lead to sanction, may be enacted as soon as the director becomes aware of serious nonperformance or noncompliance. This realization may arise from staff visits or other contacts with the local emergency management agency or commission, from indications in the commission's or coordinator's quarterly report that indicate a significant shortfall from planned accomplishments, or from the commission's or coordinator's failure to report. Financial sanctions are to be applied only after corrective action remedies fail to result in accomplishment of agreed-upon work product.

**7.7(6) *Corrective actions.***

*a. Informal corrective action.* As a first and basic step to correcting nonperformance, a designated member of the department staff will visit, call or write the local emergency management coordinator to determine the reason for nonperformance and seek an agreeable resolution.

*b. Formal corrective action.* On those occasions when there is considerable discrepancy between agreed-upon and actual performance and response to informal corrective action is not sufficient or agreeable, the department will take the following steps:

(1) Department staff will review the scope of work, as agreed to in the cooperative agreement, to determine the extent of nonperformance. To focus attention on the total nonperformance issue, all instances of nonperformance will be addressed together in a single correspondence to the commission.

(2) The director will prepare a letter to the commission that will contain, at a minimum, the following information:

1. The reasons why the department believes the commission may be in noncompliance, including the specified provisions in question.

2. A description of the efforts made by the department to resolve the matter and the reasons these efforts were unsuccessful.

3. A declaration of the commission's commitment to accomplishing the work agreed upon and specified in the comprehensive cooperative agreement and its importance to the emergency management capability of the local jurisdiction.

4. A description of the exact actions or alternative actions required of the commission to bring the problem to an agreed resolution.

5. A statement that this letter constitutes the final no-penalty effort to achieve a resolution and that financial sanctions provided for in these rules will be undertaken if a satisfactory response is not received by the department within 30 days.

**7.7(7) Financial sanctions.** If the corrective actions heretofore described fail to produce a satisfactory resolution to cases of serious nonperformance, the director may invoke the following financial sanction procedures:

*a.* Send a Notice of Intention to Withhold Payment to the chairperson of the commission. This notice shall also contain notice of a reasonable time and place for a hearing, should the commission request a hearing before the director.

*b.* Any request by a commission for a hearing must be made in writing, to the department, within 15 days of receipt of the Notice of Intention to Withhold Payment.

*c.* Any hearing under the Notice of Intention to Withhold Payment shall be held before the director. However, the director may designate an administrative law judge to take evidence and certify to the director the entire record, including findings and recommended actions.

*d.* The commission shall be given full opportunity to present its position orally and in writing.

*e.* If, after a hearing, the director finds sufficient evidence that the commission has violated established rules and regulations or the terms and conditions of the cooperative agreement, the director may withhold such contributions and payments as may be considered advisable, until the failure to expend funds in accordance with said rules, regulations, terms and conditions has been corrected or the director is satisfied that there will no longer be any such failure.

*f.* If upon the expiration of the 15-day period stated for a hearing, a hearing has not been requested, the director may issue the findings and take appropriate action as described in paragraph 7.7(7) "e."

*g.* If the director finds there is serious nonperformance by the commission or its coordinator and issues an order to withhold payments to the commission as described in this rule, the commission shall not receive funds under the EMPG program for the remainder of the assigned grants performance period in which the order is issued and one additional year or until such time that all issues of nonperformance have been agreeably addressed by the department and the commission.

[ARC 9271C, IAB 5/14/25, effective 6/18/25]

These rules are intended to implement Iowa Code sections 29C.6 and 29C.8.

[Filed 4/29/77, Notice 1/12/77—published 5/18/77, effective 6/22/77]

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[Filed ARC 9639C (Notice ARC 9524C, IAB 9/3/25), IAB 10/29/25, effective 12/3/25]

◇ Two or more ARCs



CHAPTER 8  
CRITERIA FOR AWARDS OR GRANTS

Chapter rescission date pursuant to Iowa Code section 17A.7: 6/18/30

**605—8.1(29C,17A) Purpose.** The department of homeland security and emergency management receives and distributes funds to a variety of entities throughout the state for support of emergency management planning, training, and other initiatives. Unless otherwise prohibited by state or federal law, rule or regulation, the director may make such funds subject to competition. Where such funds are designated by the director to be competitive, the department shall ensure equal access, objective evaluation of applications for these funds, and that grant application material contains, at a minimum, specific content.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.2(29C,17A) Definitions.**

*“Competitive grant”* means the competitive grant application process to determine the grant award for a specified project period.

*“Department”* means the same as defined in Iowa Code section 29C.2.

*“Director”* means the same as defined in Iowa Code section 29C.2.

*“Project”* means the activity(ies) or program(s) funded by the department.

*“Project period”* means the period of time for which the department intends to support the project without requiring the recompetition of funds.

*“Service delivery area”* means the defined geographic area for delivery of project services.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.3(29C,17A) Exceptions.** The department considers funds subject to competition except in those cases where:

1. State or federal law, rule or regulation prohibits such competition.
2. The state, federal or private funding source specifies a sole source for the receipt of funds.
3. There is mutual agreement among the department and contract organizations.
4. The director designates such funds to be noncompetitive.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.4(29C,17A) Public notice of available competitive grants.** When making funds available through a competitive grant application process, the department will, at least 60 days prior to the application due date, issue a public notice that identifies the availability of funds and states how interested parties may apply.

**8.4(1)** If the receipt of a grantor’s official notice of award to the department precludes a full 60-day notice, the department will issue the public notice at the earliest publication date.

**8.4(2)** In the event the publication date would not allow at least 30 days for interested parties to request and submit an application packet, the department will notify current contractors and other interested parties of the availability of funds through press releases and other announcements.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.5(29C,17A) Requirements.** Where funds are designated as competitive, the following will be included in all grant application materials made available by the department:

1. Funding source;
2. Project period;
3. Services to be delivered;
4. Service delivery area;
5. Funding purpose;
6. Funding restrictions;
7. Funding formula (if any);
8. Rules regarding match (if any);
9. Reporting requirements;

10. Performance criteria;
11. Description of eligible applicants;
12. Need for letters of support or other materials (if applicable);
13. Application due date;
14. Anticipated date of award;
15. Eligibility guidelines for those receiving the service or product and the source of those guidelines, including fees or sliding fee scales (if applicable);
16. Target population to be served (if applicable); and
17. Appeal process in the event an application is denied.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.6(29C,17A) Review process (competitive applications only).** The review process to be followed in determining the amount of funds to be approved for award of a contract will be described in the application material. The review criteria and point allocation for each element will also be described in the grant application material.

**8.6(1)** The competitive grant application review committee will be determined by the division administrator administering the grant or award, with oversight from the director. The review committee members will apply points according to the established review criteria in conducting the review.

**8.6(2)** In the event competitive applications for a project receive an equal number of points, a second review will be conducted by the director and the division administrator administering the grant or award.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.7(29C,17A) Opportunity for review and comment.** Program advisory committees or related task forces of the program may be provided with an opportunity to review and comment on the criteria and point allocation prior to implementation. Exceptions may occur when the funding source to the department has already included such criteria and point allocation within the award or the time frame allowed is insufficient for such review and comment.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

**605—8.8(29C,17A) Awards.**

**8.8(1)** Once applications have been scored and ranked, the department will award all available funds to eligible applicants based on the ranking of their applications. Should there be more eligible applications than funds available, those remaining eligible applications will be kept on file by the department.

**8.8(2)** In those cases in which applicants have received an award but actual project costs are less than anticipated or established in the application, remaining funds shall become deobligated funds. The department shall award deobligated funds in accordance with the awarding authority's grant guidance.

[ARC 9254C, IAB 5/14/25, effective 6/18/25]

These rules are intended to implement Iowa Code chapter 17A and section 29C.13.

[Filed emergency 5/4/93—published 5/26/93, effective 5/7/93]

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[Filed ARC 9254C (Notice ARC 9020C, IAB 3/19/25), IAB 5/14/25, effective 6/18/25]

CHAPTER 9  
IOWA COMPREHENSIVE PLAN

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/14/31

**605—9.1(29C) Description and public access.**

**9.1(1)** Iowa Code section 29C.8 requires the director of the homeland security and emergency management department to prepare a comprehensive plan for homeland security, disaster response, recovery, mitigation, and emergency resource management for the state. This comprehensive plan is comprised of the following parts:

- a.* Iowa Emergency Response Plan.
- b.* Iowa Hazard Mitigation Plan.
- c.* Iowa Disaster Recovery Plan.
- d.* Iowa Critical Asset Protection Plan (confidential per Iowa Code section 22.7, Confidential records).

**9.1(2)** Digital copies of plans referenced in paragraphs 9.1(1)“*a*” through “*c*” will be provided to the state library located in the Ola Babcock Miller Building, 1112 East Grand Avenue, Des Moines, Iowa.

**9.1(3)** Plans referenced in paragraphs 9.1(1)“*a*” through “*c*” shall be distributed to state agencies and departments that have been assigned emergency functions and to all local emergency management agencies.

**9.1(4)** Plans referenced in paragraphs 9.1(1)“*a*” through “*c*” shall be available for public viewing at the Homeland Security and Emergency Management Department, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa.

[ARC 9817C, IAB 12/10/25, effective 1/14/26]

**605—9.2(29C) Iowa Emergency Response Plan.** The Iowa Emergency Response Plan is developed in accordance with Iowa Code section 29C.8 and has been adopted, published, and maintained by the department. This plan details the state government response to a wide range of natural, technological or human-caused disasters. The Iowa Emergency Response Plan serves as the state disaster emergency response document.

[ARC 9817C, IAB 12/10/25, effective 1/14/26]

**605—9.3(29C) Iowa Hazard Mitigation Plan.** The Iowa Hazard Mitigation Plan was developed in accordance with Iowa Code section 29C.8 and was adopted on September 18, 2023, and published, and has been maintained by the department. This plan details the state government’s goals, objectives, and strategies to mitigate a wide range of natural, technological, or human-caused disasters in accordance with Section 322 of the Stafford Act, 42 U.S.C. 5165 as of October 1, 2025.

**9.3(1)** The Iowa Hazard Mitigation Plan serves as the state hazard mitigation document and demonstrates the state’s commitment to reduce risks from natural, technological, and human-caused hazards and serves as a guide for the commitment of resources to reducing the effects of natural, technological, and human-caused hazards.

**9.3(2)** The Iowa Hazard Mitigation Plan shall be reviewed and amended as appropriate at a minimum of every five years.

[ARC 9817C, IAB 12/10/25, effective 1/14/26]

**605—9.4(29C) Iowa Disaster Recovery Plan.** The Iowa Disaster Recovery Plan was developed in accordance with Iowa Code section 29C.8 and was adopted on September 17, 2018, and published, and has been maintained by the department. This plan details the state government’s goals, objectives, and strategies to recover from a wide range of natural, technological, or human-caused disasters. The Iowa Disaster Recovery Plan serves as the state disaster recovery document.

[ARC 9817C, IAB 12/10/25, effective 1/14/26]

These rules are intended to implement Iowa Code section 29C.8.

[Filed 4/29/77, Notice 1/12/77—published 5/18/77, effective 6/22/77]<sup>1</sup>

[Filed without Notice 12/8/78—published 12/27/78, effective 2/1/79]  
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[Filed ARC 9244B (Notice ARC 9150B, IAB 10/6/10), IAB 12/1/10, effective 1/5/11]  
[Filed ARC 1241C (Notice ARC 1093C, IAB 10/16/13), IAB 12/11/13, effective 1/15/14]  
[Filed ARC 2328C (Notice ARC 2212C, IAB 10/28/15), IAB 12/23/15, effective 1/27/16]  
[Filed ARC 4012C (Notice ARC 3846C, IAB 6/20/18), IAB 9/26/18, effective 10/31/18]  
[Filed ARC 6830C (Notice ARC 6527C, IAB 9/21/22), IAB 1/25/23, effective 3/1/23]  
[Filed ARC 7068C (Notice ARC 7045C, IAB 7/12/23), IAB 9/6/23, effective 10/11/23]  
[Filed ARC 9817C (Notice ARC 9605C, IAB 10/15/25), IAB 12/10/25, effective 1/14/26]

<sup>1</sup> Effective date of Chapter 6 delayed by the Administrative Rules Review Committee for 70 days pursuant to Iowa Code section 17A.4.

CHAPTER 10  
911 TELEPHONE SYSTEMS  
[Prior to 4/18/90, see Public Defense[601]Ch 10]  
[Prior to 5/12/93, Disaster Services Division[607]Ch 10]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

**605—10.1(34A) Program description.** The purpose of this program is to provide for the orderly development, installation, and operation of 911 emergency telephone systems and to provide a mechanism for the funding of these systems, either in whole or in part. These systems shall be operated under governmental management and control for the public benefit. These rules shall apply to each joint 911 service board or alternative 28E entity as provided in Iowa Code chapter 34A and to each provider of 911 service.

[ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.2(34A) Definitions.** As used in this chapter, unless context otherwise requires:

“*911 authority*” means the public entity at the state or local level, which operates a 911 telephone system for the public benefit, within a defined 911 service area.

“*911 call processing equipment*” means equipment owned by the department that functions in a host remote environment, provides 911 call processing functionality to public safety answering points, and utilizes the next generation 911 network. “911 call processing equipment” includes but is not limited to computer aided dispatch, voice logging recorders, mapping, and emergency medical dispatch.

“*911 call processing equipment provider*” means a vendor or vendors selected by the department to provide 911 call processing equipment.

“*911 call transport provider*” means a vendor or vendors selected by the department to deliver aggregated wireline 911 call traffic to the next generation 911 network and from the next generation 911 network to public safety answering points.

“*911 communications council*” means the council as established under the provisions of Iowa Code section 34A.15.

“*911 emergency call*” or “*911 call*” means a communication initiated using the digits 911 and transported via the next generation 911 network, that includes voice, text, picture, multimedia, or any other type of data which is sent to a PSAP for the purpose of requesting emergency assistance.

“*911 program manager*” means that person appointed by the director of the homeland security and emergency management department, and working with the 911 communications council, to perform the duties specifically set forth in Iowa Code chapter 34A and this chapter.

“*911 service area*” means the geographic area encompassing at least one entire county, and which may encompass a geographical area outside the one entire county not restricted to county boundaries, serviced or to be serviced under a 911 service plan.

“*911 service plan*” means a plan, produced by a joint 911 service board, which includes the information required by Iowa Code section 34A.2(2).

“*911 system*” means a telephone system that automatically connects a caller, dialing the digits 911, to a PSAP.

“*Access line*” means an exchange access line that has the ability to access dial tone and reach a public safety answering point.

“*Automatic location identification*” or “*ALI*” means a system capability that enables an automatic display of information defining a geographical location of the telephone used to place the 911 call.

“*Automatic number identification*” or “*ANI*” means a capability that enables the automatic display of the number of the telephone used to place the 911 call.

“*Call detail recording*” means a means of establishing chronological and operational accountability for each 911 call processed, consisting minimally of the caller’s telephone number, the date and time the 911 telephone equipment established initial connection (trunk seizure), the time the call was answered, the time the call was transferred (if applicable), the time the call was disconnected, the trunk line used, and the identity of the public safety telecommunicator’s position, also known as an ANI printout.

“*Central office*” or “*CO*” means a telephone company facility that houses the switching and trunking equipment serving telephones in a defined area.

“*Coin-free access*” or “*CFA*” means coin-free dialing or no-coin dial tone which enables a caller to dial 911 or “0” for operator without depositing money or incurring a charge.

“*Communications service*” means a service capable of accessing, connecting with, or interfacing with a 911 system by dialing, initializing, or otherwise activating the system exclusively through the digits 911 by means of a local telephone device, wireless communications device or any other device capable of interfacing with the 911 system.

“*Competitive local exchange service provider*” means the same as defined in Iowa Code section 34A.2.

“*Direct dispatch method*” means 911 call answering and radio-dispatching functions, for a particular agency, are both performed at the PSAP.

“*Director,*” unless otherwise noted, means the director of the homeland security and emergency management department.

“*Emergency call*” means a telephone request or text message request for service which requires immediate action to prevent loss of life, reduce bodily injury, prevent or reduce loss of property and respond to other emergency situations determined by local policy.

“*Emergency communications service surcharge*” means a charge established by the program manager in accordance with Iowa Code section 34A.7A.

“*Emergency services internet protocol network*” or “*ESInet*” means a system using broadband packet-switched technology that is capable of supporting the transmission of varying types of data to be shared by all public and private safety agencies that are involved in an emergency.

“*Enhanced 911*” or “*E911*” means the general term referring to emergency telephone systems with specific electronically controlled features, such as ALI, ANI, and selective routing.

“*Enhanced wireless 911 service, phase I*” means an emergency wireless telephone system with specific electronically controlled features such as ANI, specific indication of wireless communications tower site location, selective routing by geographic location of the tower site.

“*Enhanced wireless 911 service, phase II*” means an emergency wireless telephone system with specific electronically controlled features such as ANI and ALI and selective routing by geographic location of the 911 caller.

“*Entry point*” means the demarcation point(s), as designated by the 911 program manager, where originating service providers must deliver their 911 traffic for ingress into the state’s next generation 911 network.

“*Exchange*” means a defined geographic area served by one or more central offices in which the telephone company furnishes services.

“*Geographic information system*” or “*GIS*” means a system designed to capture, store, manipulate, analyze, manage, and present spatial or geographical data.

“*Implementation*” means the activity between formal approval of an E911 service plan and a given system design, and commencement of operations.

“*Joint 911 service board*” means those entities that are created under the provisions of Iowa Code section 34A.3, which include the legal entities created pursuant to Iowa Code chapter 28E referenced in Iowa Code section 34A.3(3) and that operate a 911 telephone system for the public benefit within a defined 911 service area.

“*Local exchange carrier*” means the same as defined in Iowa Code section 34A.2.

“*Multi-line telephone system*” or “*MLTS*” means a system comprised of common control units, telephone sets, control hardware and software and adjunct systems, including network and premises-based systems, such as Centrex and VoIP, as well as PBX, hybrid, and key telephone systems, and includes systems owned or leased by governmental agencies and nonprofit entities, as well as for-profit businesses.

“*Next generation 911 network*” means an internet protocol-enabled system that enables the public to transmit digital information to public safety answering points and is responsible for the delivery of all 911 messages within the state. “Next generation 911 network” replaces enhanced 911 and includes but is not limited to 911 voice and nonvoice messages generated by originating service providers, ESInet, GIS, cybersecurity, and other system components.

*“Next generation 911 network service provider”* means a vendor or vendors selected by the department to provide next generation 911 network functionality.

*“Nonrecurring costs”* means one-time charges incurred by a 911 authority including, but not limited to, expenditures for E911 service plan preparation, capital outlay, communications equipment to receive and dispatch emergency calls, installation, and initial license to use subscriber names, addresses and telephone information.

*“Originating service provider”* means a communications provider that allows its users or subscribers to originate 911 voice or nonvoice messages from the public to public safety answering points, including but not limited to wireline, wireless, and voice over internet protocol services.

*“Political subdivision”* means a geographic or territorial division of the state that would have the following characteristics: defined geographic area, responsibilities for certain functions of local government, public elections and public officers, and taxing power. Excluded from this definition are departments and divisions of state government and agencies of the federal government.

*“Prepaid wireless telecommunications service”* means a wireless communications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance, and that is sold in predetermined units or dollars of which the amount declines with use in a known amount.

*“Provider”* means a person, company or other business that provides, or offers to provide, 911 equipment, installation, maintenance, or access services.

*“Public or private safety agency”* means a unit of state or local government, a special purpose district, or a private firm, which provides or has the authority to provide firefighting, police, ambulance, emergency medical services or hazardous materials response.

*“Public safety answering point”* or *“PSAP”* means a 24-hour, state, local, or contracted communications facility, which has been designated by the local service board to receive 911 service calls and dispatch emergency response services in accordance with the E911 service plan.

*“Public safety telecommunicator”* or *“telecommunicator”* means the same as defined in Iowa Code section 80B.11C.

*“Public switched telephone network”* means a complex of diversified channels and equipment that automatically routes communications between the calling person and called person or data equipment.

*“Recurring costs”* means repetitive charges incurred by a 911 authority including, but not limited to, personnel time directly associated with database management and personnel time directly associated with addressing, lease of access lines, lease of equipment, network access fees, communications equipment to receive and dispatch emergency calls, and applicable maintenance costs.

*“Selective routing”* or *“SR”* means a 911 system feature that enables all 911 calls originating from within a defined geographical region to be answered at a predesignated PSAP.

*“Subscriber”* means any person, firm, association, corporation, agencies of federal, state and local government, or other legal entity responsible by law for payment for communication service from the telephone utility.

*“Tariff”* means a document filed by a telephone company with the state telephone utility regulatory commission which lists the communication services offered by the company and gives a schedule for rates and charges.

*“Telecommunications device for the deaf”* or *“TDD”* means any type of instrument, such as a typewriter keyboard connected to the caller’s telephone and involving special equipment at the PSAP which allows an emergency call to be made without speaking, also known as a TTY.

*“Telematics”* means a vehicle-based mobile data application which can automatically call for assistance if the vehicle is in an accident.

*“Trunk”* means a circuit used for connecting a subscriber to the public switched telephone network.

*“Voice over internet protocol service”* or *“VoIP”* means a service to which all of the following apply:

1. The service provides real-time, two-way voice communications transmitted using internet protocol or a successor protocol.

2. The service is offered to the public, or such classes of users as to be effectively available to the public.

3. The service has the capability to originate traffic to, and terminate traffic from, the public switched telephone network or a successor network.

“*Wireless communications service*” means commercial mobile radio service. “Wireless communications service” includes any wireless two-way communications used in cellular telephone service, personal communications service, or the functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communications service, or a network access line. “Wireless communications service” does not include a service whose customers do not have access to 911 or 911-like service, a communications channel utilized only for data transmission, or a private telecommunications system.

“*Wireless communications service provider*” means a company that offers wireless communications service to users of wireless devices including but not limited to cellular, personal communications services, mobile satellite services, and enhanced specialized mobile radio.

“*Wireless E911 phase 1*” means a 911 call made from a wireless device in which the wireless communications service provider delivers the call-back number and the address of the tower that received the call to the appropriate public safety answering point.

“*Wireless E911 phase 2*” means a 911 call made from a wireless device in which the wireless communications service provider delivers the call-back number and the latitude and longitude coordinates of the wireless device to the appropriate public safety answering point.

“*Wireless NG911 service area*” means the geographic area to be served, or currently served, by a PSAP under a wireless NG911 service plan.

“*Wireline 911 service surcharge*” means a charge assessed on each wireline access line which physically terminates within the 911 service area in accordance with Iowa Code section 34A.7.

[ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 2270C, IAB 11/25/15, effective 12/30/15; ARC 2741C, IAB 10/12/16, effective 9/14/16; ARC 2835C, IAB 12/7/16, effective 1/11/17; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 3868C, IAB 7/4/18, effective 8/8/18; ARC 6832C, IAB 1/25/23, effective 3/1/23]

**605—10.3(34A) Joint 911 service boards.** Each county board of supervisors shall establish a joint 911 service board.

**10.3(1) Membership.**

a. Each political subdivision of the state having a public safety agency serving territory within the county 911 service area and each local emergency management agency as defined in Iowa Code section 29C.2 operating within the 911 service area is entitled to one voting membership. The sheriff of each county, or the sheriff’s designee, is entitled to voting membership on the county’s joint 911 service board. The chief of police of each city operating a public safety answering point, or the chief of police’s designee, is entitled to voting membership on the joint 911 service board of the county where the city is located. For the purposes of this paragraph, a township that operates a volunteer fire department providing fire protection services to the township, or a city that provides fire protection services through the operation of a volunteer fire department not financed through the operation of city government, shall be considered a political subdivision of the state having a public safety agency serving territory within the county.

b. Each private safety agency, such as privately owned ambulance services, airport security agencies, and private fire companies, serving territory within the county 911 service area, is entitled to a nonvoting membership on the board.

c. Public and private safety agencies headquartered outside but operating within a county 911 service area are entitled to membership according to their status as a public or private safety agency.

d. A political subdivision that does not operate its own public safety agency but contracts for the provision of public safety services is not entitled to membership on the joint 911 service board. However, its contractor is entitled to one voting membership according to the contractor’s status as a public or private safety agency.

e. The joint 911 service board elects a chairperson and vice chairperson.

*f.* The joint 911 service board shall annually submit a listing of members, to include the political subdivision they represent and, if applicable, the associated 28E agreement, to the 911 program manager. A copy of the list shall be submitted within 30 days of adoption of the operating budget for the ensuing fiscal year and shall be on the prescribed form provided by the 911 program manager.

**10.3(2)** *Alternate 28E entity.* The joint 911 service board may organize as an Iowa Code chapter 28E agency as authorized in Iowa Code section 34A.3(3), provided that the 28E entity meets the voting and membership requirements of Iowa Code section 34A.3(1).

**10.3(3)** *Joint 911 service board bylaws.* Each joint 911 service board shall develop bylaws to specify, at a minimum, the following information:

- a.* The name of the joint 911 service board.
  - b.* A list of voting and nonvoting members.
  - c.* The date for the commencement of operations.
  - d.* The mission.
  - e.* The powers and duties.
  - f.* The manner for financing activities and maintaining a budget.
  - g.* The manner for acquiring, holding and disposing of property.
  - h.* The manner for electing or appointing officers and terms of office.
  - i.* The manner by which members may vote to include, if applicable, the manner by which votes may be weighted.
  - j.* The manner for appointing, hiring, disciplining, and terminating employees.
  - k.* The rules for conducting meetings.
  - l.* The permissible method or methods to be employed in accomplishing the partial or complete termination of the board and the disposing of property upon such complete or partial termination.
  - m.* Any other necessary and proper rules or procedures.
- Each member shall sign the adopted bylaws.

The joint 911 service board shall record the signed bylaws with the county recorder and shall forward a copy of the signed bylaws to the 911 program manager at the homeland security and emergency management department.

**10.3(4)** *Executive board.* The joint 911 service board may, through its bylaws, establish an executive board to conduct the business of the joint 911 service board. Members of the executive board must be selected from the eligible voting members of the joint 911 service board. The executive board will have such other duties and responsibilities as assigned by the joint 911 service board.

**10.3(5)** *Meetings.*

- a.* The provisions of Iowa Code chapter 21, “Official Meetings Open to the Public,” are applicable to joint 911 service boards.
- b.* Joint 911 service boards shall conduct meetings in accordance with their established bylaws and applicable state law.

[ARC 7695B, IAB 4/8/09, effective 5/13/09; ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 4887C, IAB 1/29/20, effective 3/4/20]

**605—10.4(34A) 911 service plan.**

**10.4(1)** The joint 911 service board shall be responsible for developing a 911 service plan as required by Iowa Code section 34A.3 and as set forth in these rules. The plan will remain the property of the joint 911 service board. Each joint 911 service board shall coordinate planning with each contiguous joint 911 service board. A copy of the plan and any modifications and addenda shall be submitted to:

- a.* The homeland security and emergency management department.
- b.* All public and private safety agencies serving the 911 service area.
- c.* All providers affected by the 911 service plan.

**10.4(2)** The 911 service plan shall, at a minimum, encompass the entire county, unless a waiver is granted by the director. Each plan shall include:

- a.* The mailing address of the joint 911 service board.
- b.* A list of voting members on the joint 911 service board.
- c.* A list of nonvoting members on the joint 911 service board.

- d.* The name of the chairperson and of the vice chairperson of the joint 911 service board.
- e.* A geographical description of the 911 service area.
- f.* A list of all public and private safety agencies within the 911 service area.
- g.* The number of public safety answering points within the 911 service area.
- h.* A statement of recurring and nonrecurring costs to be incurred by the joint 911 service board. These costs shall be limited to costs directly attributable to the provision of 911 service.
- i.* The total number of telephone access lines by a telephone company or companies having points of presence within the 911 service area and the number of this total that is exempt from surcharge collection as provided in rule 605—10.9(34A) and Iowa Code section 34A.7(3).
- j.* If applicable, a schedule for implementation of the plan throughout the 911 service area. A joint 911 service board may decide not to implement 911 service.
- k.* The total property valuation in the 911 service area.
- l.* Maps of the 911 service area showing boundaries for all of the law enforcement agencies, firefighting districts, and ambulance and emergency medical service areas, and the location of each PSAP within the service area shall be uploaded and maintained within the program's online NG911 GIS database.
- m.* A plan to migrate to an internet protocol-enabled next generation network.

**10.4(3)** All plan modifications and addenda shall be filed with, reviewed, and approved by the 911 program manager.

**10.4(4)** The 911 program manager shall base acceptance of the plan upon compliance with the provisions of Iowa Code chapter 34A and the rules herein.

**10.4(5)** The 911 program manager will notify in writing, within 20 days of review, the chairperson of the joint 911 service board of the approval or disapproval of the plan.

*a.* If the plan is disapproved, the joint 911 service board will have 90 days from receipt of notice to submit revisions/addenda.

*b.* Notice for disapproved plans will contain the reasons for disapproval.

*c.* The 911 program manager will notify the chairperson, in writing within 20 days of review, of the approval or disapproval of the revisions.

[ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 3868C, IAB 7/4/18, effective 8/8/18; ARC 6832C, IAB 1/25/23, effective 3/1/23]

**605—10.5(34A) Wireline 911 service surcharge.**

**10.5(1)** One source of funding for the 911 emergency communications system shall come from a surcharge of one dollar per month, per access line on each access line subscriber.

**10.5(2)** The 911 program manager shall notify local exchange carriers and competitive local exchange service providers scheduled to provide exchange access 911 service within a 911 service area that implementation of a 911 service plan has been approved by the joint 911 service board and by the 911 program manager and that collection of the surcharge is to begin within 60 days. The 911 program manager shall also provide notice to all affected public safety answering points. The 60-day notice to the carriers and providers shall also apply when an adjustment in the wireline surcharge rate is made.

**10.5(3)** The carriers and providers shall collect the surcharge as a part of their monthly billing to their subscribers. The surcharge shall appear as a single line item on a subscriber's monthly billing entitled "911 emergency communications service surcharge."

**10.5(4)** The carriers and providers may retain 1 percent of the surcharge collected as compensation for the billing and collection of the surcharge. If the compensation is insufficient to fully recover a carrier's or provider's costs for the billing and collection of the surcharge, the deficiency shall be included in the carrier's or provider's costs for rate-making purposes to the extent it is reasonable and just under Iowa Code section 476.6.

**10.5(5)** The carrier or provider shall remit the collected surcharge to the joint 911 service board on a calendar quarter basis within 20 days of the end of the quarter.

**10.5(6)** The joint 911 service board may request, not more than once each quarter, the following information from the carrier or provider:

- a.* The identity of the exchange from which the surcharge is collected.

- b. The number of lines to which the surcharge was applied for the quarter.
- c. The number of refusals to pay per exchange, if applicable.
- d. The number of write-offs per exchange, if applicable.
- e. The number of lines exempt per exchange.
- f. The amount retained by the carrier or provider from the 1 percent administrative fee.

Access line counts and surcharge remittances are confidential public records as provided in Iowa Code section 34A.8.

**10.5(7)** Collection for a surcharge shall terminate if 911 service ceases to operate within the respective 911 service area. The 911 program manager for good cause may grant an extension.

a. The director shall provide 100 days' prior written notice to the joint 911 service board or the operating authority and to the carrier(s) or provider(s) collecting the fee of the termination of surcharge collection.

b. Individual subscribers within the 911 service area may petition the joint 911 service board or the operating authority for a refund. Petitions shall be filed within one year of termination. Refunds may be prorated and shall be based on funds available and subscriber access lines billed.

c. At the end of one year from the date of termination, any funds not refunded and remaining in the 911 service fund and all interest accumulated shall be retained by the joint 911 service board. However, if the joint 911 service board ceases to operate any 911 service, the balance in the 911 service fund shall be payable to the homeland security and emergency management department. Moneys received by the department shall be used only to offset the costs for the administration of the 911 program.

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.6(34A) Waivers, variance request, and right to appeal.**

**10.6(1)** All requests for variances or waivers shall be submitted to the 911 program manager in writing and shall contain the following information:

- a. A description of the variance(s) or waiver(s) being requested.
- b. Supporting information setting forth the reasons the variance or waiver is necessary.
- c. A copy of the resolution or minutes of the joint 911 service board meeting which authorizes the application for a variance or waiver.
- d. The signature of the chairperson of the joint 911 service board.

**10.6(2)** The 911 program manager may grant a variance or waiver based upon the provisions of Iowa Code chapter 34A or other applicable state law.

**10.6(3)** Upon receipt of a request for a variance or waiver, the 911 program manager shall evaluate the request and schedule a review within 20 working days of receipt of the request. Review shall be informal, and the petitioner may present materials, documents and testimony in support of the petitioner's request. The 911 program manager shall determine if the request meets the criteria established and shall issue a decision within 20 working days. The 911 program manager shall notify the petitioner, in writing, of the acceptance or rejection of the petition. If the petition is rejected, such notice shall include the reasons for denial.

[ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.7(34A) NG911 Network Implementation and Operations Plan.** Each joint 911 service board, the department of public safety, the 911 communications council, and originating service providers shall cooperate with the 911 program manager in preparing the NG911 Network Implementation and Operations Plan for statewide implementation of NG911 service.

**10.7(1) Plan specifications.** The NG911 Network Implementation and Operations Plan shall include, at a minimum, the following information:

- a. Maps showing the geographic location within the county of each PSAP that receives 911 emergency calls.
- b. A list of all public safety answering points within the state of Iowa.
- c. A set of guidelines for determining eligible cost as set forth in Iowa Code section 34A.7A.
- d. A schedule for the implementation and maintenance of the next generation 911 network.

e. A schedule for the implementation, maintenance and cost sharing of 911 call processing equipment.

**10.7(2)** *Adoption by reference.* The “NG911 Network Implementation and Operations Plan,” effective July 1, 2018, and available from the Homeland Security and Emergency Management Department, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa, or at the Law Library in the Capitol Building, Des Moines, Iowa, is hereby adopted by reference effective August 8, 2018.

[ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 2270C, IAB 11/25/15, effective 12/30/15; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 3868C, IAB 7/4/18, effective 8/8/18]

**605—10.8(34A) Emergency communications service surcharge.**

**10.8(1)** The 911 program manager shall adopt a monthly surcharge of one dollar to be imposed on each originating service number provided in this state. The surcharge shall not be imposed on wireline-based communications or prepaid wireless telecommunications service.

**10.8(2)** The 911 program manager shall order the imposition of a surcharge uniformly on a statewide basis and simultaneously on all originating service numbers by giving at least 60 days’ prior notice to wireless carriers to impose a monthly surcharge as part of their periodic billings. The 60-day notice to wireless carriers shall also apply when the program manager is making an adjustment in the emergency communications service surcharge rate.

**10.8(3)** The emergency communications surcharge shall be one dollar per month, per customer service number, until changed by rule.

**10.8(4)** The originating service provider shall list the surcharge as a separate line item on the customer’s billing indicating that the surcharge is for 911 emergency telephone service. The originating service provider is entitled to retain 1 percent of any wireless surcharge collected as a fee for collecting the surcharge as part of the subscriber’s periodic billing. The emergency communications service surcharge is not subject to sales or use tax.

**10.8(5)** Surcharge funds shall be remitted on a calendar quarter basis by the close of business on the twentieth day following the end of the quarter with a remittance form as prescribed by the 911 program manager. Providers shall issue their checks or warrants to the Treasurer, State of Iowa, and remit to the 911 Program Manager, Homeland Security and Emergency Management Department, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324.

[ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 2270C, IAB 11/25/15, effective 12/30/15; ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.9(34A) 911 emergency communications fund.**

**10.9(1)** Emergency communications service surcharge money, collected and remitted by originating service providers, shall be placed in a fund within the state treasury under the control of the director.

**10.9(2)** Iowa Code section 8.33 shall not apply to moneys in the fund. Moneys earned as income, including as interest, from the fund shall remain in the fund until expended as provided in this subrule. However, moneys in the fund may be combined with other moneys in the state treasury for purposes of investment.

**10.9(3)** Moneys in the fund shall be expended and distributed in the following manner and order of priority:

a. An amount as appropriated by the general assembly to the department shall be allocated to the director and program manager for implementation, support, and maintenance of the functions of the director and program manager and to employ the auditor of state to perform an annual audit of the 911 emergency communications fund.

b. The program manager shall allocate to each joint 911 service board and to the department of public safety a minimum of \$1,000 per calendar quarter for each PSAP within the service area of the department of public safety or joint 911 service board.

(1) The amount allocated under paragraph 10.9(3)“b” shall be 60 percent of the total amount of surcharge generated per calendar quarter. The minimum amount allocated to the department of public safety and the joint 911 board shall be \$1,000 per PSAP operated by the respective authority.

(2) Additional funds shall be allocated as follows:

1. Sixty-five percent of the total dollars available for allocation shall be allocated in proportion to the square miles of the 911 service area to the total square miles in this state.

2. Thirty-five percent of the total dollars available for allocation shall be allocated in proportion to the wireless 911 calls taken at the PSAP in the 911 service area to the total number of wireless 911 calls originating in this state.

(3) The funds allocated in paragraph 10.9(3)“b” shall be used by the PSAPs for costs related to the receipt and disposition of 911 calls.

c. The program manager shall allocate 10 percent of the total amount of surcharge generated per calendar quarter to wireless carriers to recover their costs to deliver wireless E911 phase I services as defined in the Federal Communications Commission (FCC) Docket 94-102 and further defined in the FCC’s letter to King County, Washington, dated May 7, 2001. If this allocation is insufficient to reimburse all wireless carriers for the wireless service provider’s eligible expenses, the program manager shall allocate a prorated amount to each wireless carrier equal to the percentage of the provider’s eligible expenses as compared to the total eligible expenses for all wireless carriers for the calendar quarter during which expenses were submitted. When prorated expenses are paid, the remaining unpaid expenses shall no longer be eligible for payment under paragraph 10.9(3)“c.” This allocation is for the period beginning July 1, 2013, and ending June 30, 2026.

d. 911 call delivery costs and GIS grants.

(1) The program manager shall reimburse next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location information database providers on a quarterly basis for the costs of maintaining and upgrading the next generation 911 network functionality, 911 call processing equipment, 911 call transport from the next generation 911 network to public safety answering points and from the wireless originating service provider network to the next generation 911 network, and the automatic location information database.

(2) The program manager may also provide grants to joint 911 service boards and the department of public safety for the purpose of developing and maintaining GIS data to be used in support of the next generation 911 network. The program manager shall provide guidelines, application forms, and notice of the availability of such grants on the department’s website, [www.homelandsecurity.iowa.gov](http://www.homelandsecurity.iowa.gov).

e. The department may, in a reserve account established within the 911 emergency communications fund, credit each fiscal year an amount of up to 12½ percent of the annual emergency communications service surcharge collected pursuant to rule 605—10.8(34A) and the prepaid wireless 911 surcharge collected pursuant to rule 605—10.17(34A). However, the moneys contained in such reserve account shall not exceed 12½ percent of the total surcharges collected for each fiscal year. Moneys credited to the reserve account shall only be used by the department for the purpose of repairing or replacing equipment in the event of a catastrophic equipment failure, as determined by the director.

f. If moneys remain in the fund after all obligations are fully paid under paragraphs 10.9(3)“a,”“b,”“c,”“d,” and “e,” remaining funds shall be expended and distributed in the following priority order:

(1) The program manager, in consultation with the 911 communications council, shall allocate an amount, not to exceed \$100,000 per fiscal year, for development of public awareness and educational programs related to the use of 911 by the public; for educational programs for personnel responsible for the maintenance, operation, and upgrading of local 911 systems; and for the expenses of members of the 911 communications council for travel, monthly meetings, and training, provided, however, that the members have not received reimbursement funds for such expenses from another source.

(2) The program manager shall allocate an equal amount of moneys to each PSAP for the following costs:

1. Costs related to the receipt and disposition of 911 calls, including hardware and software for an internet protocol-enabled next generation 911 network as specified in the NG911 Network Implementation and Operations Plan.

2. Local costs related to access the statewide interoperable communications system pursuant to Iowa Code section 29C.23.

(3) Any moneys remaining in the fund at the end of each fiscal year shall not revert to the general fund of the state but shall remain available for the purposes of the fund.

**10.9(4)** Payments to next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location identification database providers shall be made quarterly, based on original, itemized claims or invoices presented within 20 days of the end of the calendar quarter. Claims or invoices not submitted within 20 days of the end of the calendar quarter are not eligible for reimbursement and may not be included in future claims and invoices. Payments to providers shall be made in accordance with these rules and the State Accounting Policy and Procedures Manual.

**10.9(5)** Next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location identification database providers shall be reimbursed for only those items and services that are defined as eligible in the NG911 Network Implementation and Operations Plan and when initiation of service has been ordered and authorized by the 911 program manager.

**10.9(6)** If it is found that an overpayment has been made to an entity, the 911 program manager shall attempt recovery of the debt from the entity by certified letter. Due diligence shall be documented and retained at the homeland security and emergency management department. If resolution of the debt does not occur and the debt is at least \$50, the homeland security and emergency management department will then utilize the income offset program through the department of revenue. Until resolution of the debt has occurred, the homeland security and emergency management department may withhold future payments to the entity.

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 2270C, IAB 11/25/15, effective 12/30/15; ARC 2741C, IAB 10/12/16, effective 9/14/16; ARC 2835C, IAB 12/7/16, effective 1/11/17; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 3868C, IAB 7/4/18, effective 8/8/18; ARC 6832C, IAB 1/25/23, effective 3/1/23]

**605—10.10(34A) 911 surcharge exemptions.** The following agencies, individuals, and organizations are exempt from imposition of the 911 surcharge:

1. Federal agencies and tax-exempt instrumentalities of the federal government.
2. Indian tribes for access lines on the tribe's reservation upon filing a statement with the joint 911 service board, signed by appropriate authority, requesting surcharge exemption.
3. An enrolled member of an Indian tribe for access lines on the reservation, who does not receive 911 service, and who annually files a signed statement with the joint 911 service board that the person is an enrolled member of an Indian tribe living on a reservation and does not receive 911 service. However, once 911 service is provided, the member is no longer exempt.
4. Official station testing lines owned by the provider.
5. Individual wireline subscribers to the extent that they shall not be required to pay on a single periodic billing the surcharge on more than 100 access lines, or their equivalent, in a 911 service area.

All other subscribers not listed above, that have or will have the ability to access 911, are required to pay the surcharge, if imposed by the official order of the 911 program manager.

[ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.11(34A) 911 service fund.**

**10.11(1)** The department of public safety and each joint 911 service board have the responsibility for the 911 service fund.

*a.* A 911 service fund shall be established in the office of the county treasurer for each joint 911 service board and with the state treasurer for the department of public safety.

*b.* Collected surcharge moneys and any interest thereon, as authorized in Iowa Code chapter 34A, shall be deposited into the 911 service fund. 911 surcharge moneys must be kept separate from all other sources of revenue utilized for 911 systems.

*c.* For joint 911 service boards, withdrawal of moneys from the 911 service fund shall be made on warrants drawn by the county auditor, per Iowa Code section 331.506, supported by claims and vouchers approved by the chairperson or vice chairperson of the joint 911 service board or delegated authority so designated in writing.

*d.* For the department of public safety, withdrawal of moneys from the 911 service fund shall be made in accordance with state laws and administrative rules.

**10.11(2)** The 911 service funds shall be subject to examination by the department at any time during usual business hours. 911 service funds are subject to the audit provisions of Iowa Code chapter 11. A copy of all audits of the 911 service fund shall be furnished to the department within 30 days of receipt. If through the audit or monitoring process the department determines that a joint 911 service board is not adhering to an approved plan or does not have a valid board membership, or if the department determines that a joint 911 service board or the department of public safety is not using funds in the manner prescribed in these rules or Iowa Code chapter 34A, the director may, after notice and hearing, suspend surcharge imposition and order termination of expenditures from the 911 service fund. The joint 911 service board or department of public safety is not eligible to receive or expend surcharge moneys until such time as the 911 program manager determines that the board or department of public safety is in compliance with the approved plan, board membership, and fund usage limitations.

[ARC 8314B, IAB 11/18/09, effective 12/23/09; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 6832C, IAB 1/25/23, effective 3/1/23]

**605—10.12(34A) Operating budgets.** Rescinded ARC 3233C, IAB 8/2/17, effective 9/6/17.

**605—10.13(34A) Limitations on use of funds.** Surcharge moneys in the 911 service fund may be used to pay recurring and nonrecurring costs including, but not limited to, 911 call processing equipment, internet and telephone access, software, database, addressing, initial training, and other start-up, capital, and ongoing expenditures. 911 surcharge moneys shall be used only to pay costs directly attributable to the provision of 911 telephone systems and services and may include costs directly attributable to the receipt and disposition of the 911 call.

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 3868C, IAB 7/4/18, effective 8/8/18]

**605—10.14(34A) Minimum operational and technical standards.**

**10.14(1)** Each 911 system, supplemented with 911 surcharge moneys, shall, at a minimum, employ the following features:

- a.* ALI (automatic location identification).
- b.* ANI (automatic number identification).
- c.* Policy routing function.
- d.* Each PSAP shall provide two emergency seven-digit numbers arranged in rollover configuration for use by telephone company operators for transferring a calling party to the PSAP over the wireline network. Wireless calls must be transferred to PSAPs that are capable of accepting ANI and ALI.
- e.* ANI and ALI information shall be maintained and updated in such a manner as to allow for 95 percent or greater degree of accuracy.

**10.14(2)** 911 public safety answering points shall adhere to the following minimum standards:

- a.* The PSAP shall operate 7 days per week, 24 hours per day, with operators on duty at all times.
- b.* The primary published emergency number in the 911 service area shall be 911.
- c.* All PSAPs will maintain interagency communications capabilities for emergency coordination purposes, to include radio as well as land line direct or dial line.
- d.* Each PSAP shall develop and maintain a PSAP standard operating procedure for receiving and dispatching emergency calls.
- e.* The date and time of each 911 emergency call shall be documented using an automated call detail recording device or other communications center log. Such logs shall be maintained for a period of not less than one year.
- f.* Access control and security of PSAPs and associated dispatch centers shall be designed to prevent disruption of operations and provide a safe and secure environment of communication operations.
- g.* PSAP supervision shall ensure that all vendors whose normal activities may involve contact with facilities associated with the 911 service are familiar with safeguarding of facilities' procedures.

*h.* Emergency electrical power shall be provided for the PSAP environment that will ensure continuous operations and communications during a power outage. Such power should start automatically in the event of power failure and shall have the ability to be sustained for a minimum of 48 hours.

*i.* The PSAP shall make every attempt to disallow the intrusion by automatic dialers, alarm systems, or automatic dialing and announcing devices on a 911 trunk. If intrusion by one of these devices should occur, those responsible for PSAP operations shall make every attempt to contact the responsible party to ensure there is no such further occurrence by notifying the party that knowing and intentional interference with emergency telephone calls constitutes a crime under Iowa Code section 727.5. Those responsible for PSAP operations shall report persons who repeatedly use automatic dialers, alarm systems, or automatic announcing devices on 911 trunk lines to the county attorney for investigation of possible violations of Iowa Code section 727.5.

*j.* Each PSAP shall be equipped with an appropriate telecommunications device for the deaf (TDD) in accordance with 28 CFR §35.162, July 26, 1991.

*k.* PSAPs will have the capability to access translation services to help process 911 calls from non-English speakers.

*l.* Each PSAP shall adhere to NENA STA-020.1-2020 or its subsequently updated equivalent.

**10.14(3)** Originating service providers shall adhere to the following minimum requirements:

*a.* The PSAP and the 911 program manager shall be notified of all service interruptions in accordance with 47 CFR Part 4.

*b.* The originating service provider shall respond, within a reasonable length of time, to all appropriate requests for information from the director, the department of public safety, a joint 911 service board or operating authority and shall expressly comply with the provisions of Iowa Code section 34A.8.

*c.* Originating service providers and MLTSs must update and maintain the state ALI database with accurate information. When delivering 911 calls, caller location must be provided in compliance with 47 CFR §9.8, 47 CFR §9.10, and 47 CFR §9.15.

*d.* Access to the 911 entry point and next generation 911 network shall be approved by the 911 program manager. Originating service providers must provide the company name, address and point of contact with their request. If the originating service provider utilizes a third-party vendor, the vendor must provide this information listing the vendor's customer's requested information.

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17; ARC 6832C, IAB 1/25/23, effective 3/1/23]

#### **605—10.15(34A) Administrative hearings and appeals.**

**10.15(1)** 911 program manager decisions regarding the acceptance or refusal of a 911 service plan, in whole or in part, the implementation of 911 and the imposition of the 911 surcharge within a specific 911 service area may be contested by an affected party.

**10.15(2)** Request for hearing shall be made in writing to the homeland security and emergency management department director within 30 days of the 911 program manager's mailing or serving of a decision and shall state the reason(s) for the request and shall be signed by the appropriate authority.

**10.15(3)** The director shall schedule a hearing within 10 working days of receipt of the request for hearing. The director shall preside over the hearing, at which time the appellant may present any evidence, documentation, or other information regarding the matter in dispute.

**10.15(4)** The director shall issue a ruling regarding the matter within 20 working days of the hearing.

**10.15(5)** Any party adversely affected by the director's ruling may file a written request for a rehearing within 20 days of issuance of the ruling. A rehearing will be conducted only when additional evidence is available, the evidence is material to the case, and good cause existed for the failure to present the evidence at the initial hearing. The director will schedule a hearing within 20 days after the receipt of the written request. The director shall issue a ruling regarding the matter within 20 working days of the hearing.

**10.15(6)** Any party adversely affected by the director's ruling may file a written appeal to the director of the homeland security and emergency management department. The appeal request shall contain information identifying the appealing party, the ruling being appealed, specific findings or conclusions to which exception is taken, the relief sought, and the grounds for relief. The director shall issue a ruling

regarding the matter within 90 days of the hearing. The director's ruling constitutes final agency action for purposes of judicial review.

[ARC 7695B, IAB 4/8/09, effective 5/13/09; ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.16(34A) Confidentiality.** All financial or operations information provided by an originating service provider to the 911 program manager shall be identified by the provider as confidential trade secrets under Iowa Code section 22.7(3) and shall be kept confidential as provided under Iowa Code section 22.7(3) and 605—Chapter 5. Such information shall include numbers of accounts, numbers of customers, revenues, expenses, and the amounts collected from said originating service provider for deposit in the fund. Notwithstanding such requirements, aggregate amounts and information may be included in reports issued by the director if the aggregated information does not reveal any information attributable to an individual originating service provider.

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 1538C, IAB 7/9/14, effective 8/13/14; ARC 3233C, IAB 8/2/17, effective 9/6/17]

**605—10.17(34A) Prepaid wireless 911 surcharge.** Administration of the prepaid wireless 911 surcharge is under the control of the Iowa department of revenue. To administer this function, the department of revenue has adopted rules that can be found in 701—paragraph 224.6(2) “b” and rule 701—224.8(34A).

[ARC 0602C, IAB 2/20/13, effective 3/27/13; ARC 3233C, IAB 8/2/17, effective 9/6/17]

These rules are intended to implement Iowa Code chapter 34A.

[Filed emergency 2/17/89—published 3/8/89, effective 2/17/89]

[Filed 6/1/89, Notice 3/8/89—published 6/28/89, effective 8/2/89]<sup>1</sup>

[Filed emergency 8/29/89—published 9/20/89, effective 8/29/89]

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[Filed 8/10/07, Notice 6/20/07—published 8/29/07, effective 10/3/07]

[Filed ARC 7695B (Notice ARC 7431B, IAB 12/17/08), IAB 4/8/09, effective 5/13/09]

[Filed ARC 8314B (Notice ARC 8184B, IAB 9/23/09), IAB 11/18/09, effective 12/23/09]

[Filed ARC 0602C (Notice ARC 0512C, IAB 12/12/12), IAB 2/20/13, effective 3/27/13]

[Filed ARC 1538C (Notice ARC 1463C, IAB 5/14/14), IAB 7/9/14, effective 8/13/14]

[Filed ARC 2270C (Notice ARC 2154C, IAB 9/30/15), IAB 11/25/15, effective 12/30/15]

[Filed Emergency ARC 2741C, IAB 10/12/16, effective 9/14/16]

[Filed ARC 2835C (Notice ARC 2740C, IAB 10/12/16), IAB 12/7/16, effective 1/11/17]

[Filed ARC 3233C (Notice ARC 3090C, IAB 6/7/17), IAB 8/2/17, effective 9/6/17]

[Filed ARC 3868C (Notice ARC 3778C, IAB 5/9/18), IAB 7/4/18, effective 8/8/18]

[Filed ARC 4887C (Notice ARC 4769C, IAB 11/20/19), IAB 1/29/20, effective 3/4/20]

[Filed ARC 6832C (Notice ARC 6528C, IAB 9/21/22), IAB 1/25/23, effective 3/1/23]

<sup>1</sup> Effective date of 8/2/89 delayed 70 days by the Administrative Rules Review Committee at its July 11, 1989, meeting.

CHAPTER 11  
EMERGENCY ASSISTANCE

[Prior to 6/28/23, see Human Services Department[441] Ch 58]

DIVISION I  
IOWA DISASTER AID INDIVIDUAL ASSISTANCE GRANT PROGRAM

PREAMBLE

This division implements a state program of financial assistance to meet disaster-related expenses, food-related costs, or serious needs of individuals or families who are adversely affected by a state-declared disaster emergency. The program is intended to meet needs that cannot be met by other means of financial assistance.

**605—11.1(29C) Definitions.**

*“Bona fide residence”* or *“bona fide address,”* as set forth in Iowa Code section 321.1(6C), means the pre-disaster street or highway address of an individual’s dwelling or dwelling unit. The bona fide residence of a person with more than one dwelling is the dwelling for which the person claims a homestead tax credit under Iowa Code chapter 425, if applicable. The bona fide residence of a homeless person is a primary nighttime residence meeting one of the criteria listed in Iowa Code section 48A.2(3).

*“Department”* means the Iowa department of homeland security and emergency management.

*“Dwelling”* or *“dwelling unit”* means the structure in which a household resides. “Dwelling” or “dwelling unit” includes permanent structures, mobile homes, manufactured homes, modular homes, fifth-wheel travel trailers, travel trailers, and motor homes in which a household resides.

*“Emergency management coordinator”* means the person appointed by the local emergency management commission pursuant to Iowa Code sections 29C.9 and 29C.10 to be responsible for development of the countywide emergency operations plan and for coordination and assistance to government officials when an emergency or disaster occurs.

*“Fifth-wheel travel trailer,”* as set forth in Iowa Code section 321.1(36D)“c,” means a type of travel trailer which is towed by a pickup by a connecting device known as a fifth wheel. However, this type of travel trailer may have an overall length which shall not exceed 45 feet.

*“Home”* means the pre-disaster dwelling or dwelling unit for a household.

*“Household”* means all adults and children who lived in the pre-disaster residence who request assistance, as well as any persons, such as infants, spouses, or part-time residents, who were not present at the time of the disaster but who are expected to return during the assistance period.

*“Manufactured home”* or *“modular home,”* as set forth in Iowa Code section 321.1(36C), is a factory-built structure constructed under authority of 42 U.S.C. §5403 as amended to August 25, 2022, which is required by federal law to display a seal from the United States Department of Housing and Urban Development, and was constructed on or after June 15, 1976.

*“Manufactured or mobile home,”* as set forth in Iowa Code section 321.1(36D)“a,” means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons.

*“Mitigation”* means the effort to reduce the loss of life and property by lessening the impact of disasters to reduce human and financial consequences later.

*“Motor home,”* as set forth in Iowa Code section 321.1(36D)“d,” means a motor vehicle designed as an integral unit to be used as a conveyance upon the public streets and highways and for use as a temporary or recreational dwelling and having at least four, two of which shall be systems specified in paragraph “1,” “4,” or “5” of this definition, of the following permanently installed systems which meet American National Standards Institute and National Fire Protection Association standards in effect on the date of manufacture:

1. Cooking facilities.
2. Ice box or mechanical refrigerator.

3. Potable water supply including plumbing and a sink with faucet either self-contained or with connections for an external source, or both.

4. Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.

5. Heating or air conditioning system or both, separate from the vehicle engine or the vehicle engine electrical system.

6. A 110- to 115-volt alternating current electrical system separate from the vehicle engine electrical system either with its own power supply or with a connection for an external source, or both, or a liquefied petroleum system and supply.

“*Necessary expense*” means the cost associated with acquiring an item or items, obtaining a service, or paying for any other activity that meets a serious need.

“*Owner*” means one or more persons, jointly or severally, in whom is vested all or part of the legal title to property or all or part of the beneficial ownership and a right to present use and enjoyment of the property. “*Owner*” includes a mortgagee in possession.

“*Rent*” means an amount paid to the landlord under the rental agreement.

“*Safe, sanitary, and secure*” means free from disaster-related health hazards.

“*Serious need*” means the item or service is essential to the household to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

“*Tenant*” means a person or persons entitled under a rental agreement to occupy a dwelling or dwelling unit to the exclusion of others.

“*Travel trailer*,” as set forth in Iowa Code section 321.1(36D)“*b*,” means a vehicle without motive power used, manufactured, or constructed to permit its use as a conveyance upon the public streets and highways and designed to permit its use as a place of human habitation by one or more persons. The vehicle may be up to 8 feet, 6 inches in width and its overall length shall not exceed 45 feet. The vehicle shall be customarily or ordinarily used for vacation or recreational purposes and not used as a place of permanent habitation. If the vehicle is used in this state as a place of human habitation for more than 180 consecutive days in one location, the vehicle shall be classed as a manufactured or mobile home regardless of the size limitations provided in this definition.

[ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 5596C, IAB 5/5/21, effective 7/1/21; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

### **605—11.2(29C) Program implementation.**

**11.2(1) *Disaster declaration.*** The Iowa individual assistance grant program (IIAGP) shall be implemented when the governor issues a declaration of a state of disaster emergency that authorizes individual assistance. The program shall be in effect only in those counties named in the declaration. Assistance shall be provided for a period not to exceed 120 days from the date of declaration.

**11.2(2) *Voucher system.*** The IIAGP will be implemented through a reimbursement or voucher system. Reimbursement may include checks or gift cards provided to the applicant for replacement food or personal property only. The applicant must sign a promise to purchase replacement food or personal property.

**11.2(3) *Program extensions.***

*a.* The program may be extended beyond 120 days through an extension of the governor’s disaster proclamation; or

*b.* The program may be extended in 30-day intervals requested by the applicant household through the contracted entity and approved by the department.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

**605—11.3(29C) Application for assistance.** To request assistance for disaster-related expenses, the household shall complete Form 470-4448 and submit it within 45 days of the disaster declaration to the contracted administrative entity.

**11.3(1)** Application forms are available from an approved administrative entity, as well as the Internet website of the department at [www.homelandsecurity.iowa.gov](http://www.homelandsecurity.iowa.gov).

**11.3(2)** The application shall include:

- a.* A declaration of the household's annual income, accompanied by a current pay stub, W-2 form, or income tax return.
- b.* An authorization to release confidential information to personnel involved in administering the program.
- c.* A certification of the accuracy of the information provided.
- d.* An assurance that the household had no insurance coverage for claimed items.
- e.* A commitment to refund any part of a grant awarded that is duplicated by insurance or by any other assistance program, such as but not limited to local community development groups and charities, the Small Business Administration, or the Federal Emergency Management Administration.
- f.* A short, handwritten narrative of how the disaster event caused the claimed loss, including an itemized list of items damaged by the disaster.
- g.* A copy of a picture identification document for the adult applicant.
- h.* When vehicle damage is claimed, current copies of the vehicle registration and liability insurance card.

**11.3(3)** The application period may be extended beyond 45 days through an extension of the governor's disaster proclamation. If the forty-fifth day falls on a Saturday, Sunday, or holiday, the deadline is moved to the following business day.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

**605—11.4(29C) Eligibility criteria.** To be eligible for assistance, an applicant household must meet all of the following conditions:

**11.4(1)** The household's bona fide residence was located in the area identified in the disaster declaration during the designated incident period and the household verifies occupancy at that residence.

**11.4(2)** Household members are citizens of the United States or are legally residing in the United States.

**11.4(3)** The household's self-declared annual income is at or less than 200 percent of the federal poverty level for a household of that size.

*a.* Poverty guidelines are updated annually.

*b.* All income available to the household is counted, including wages, child support, interest from investments or bank accounts, social security benefits, and retirement income. Proof of income is required.

**11.4(4)** The household has unmet disaster-related expenses or serious needs that are not covered by insurance. The applicant must provide claim documentation from the insurance company.

**11.4(5)** The household has not previously received assistance from this program or another program for the same loss in the same disaster.

**11.4(6)** Household eligibility for home repair assistance for a dwelling or dwelling unit damaged due to a proclaimed disaster is only available for a household that owns and occupies the dwelling or dwelling unit being repaired.

*a.* Assistance will be denied if preexisting conditions are the cause of the damage.

*b.* Repairs to rental dwellings, dwelling units, or landlord-owned equipment are excluded under this program.

[ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

**605—11.5(29C) Eligible categories of assistance.** Expenses eligible for grant funding shall be limited to personal property, food assistance, home repair and temporary housing and shall not exceed a total of \$5,000. Assistance is available under the program for the following disaster-related expenses:

**11.5(1)** Personal property and food assistance may be issued for damage to personal property or food replacement. Eligible items for personal property assistance may include but are not limited to the following items, based on the item's condition:

*a.* Appliances or equipment, including:

(1) Small household appliances, including, but not limited to:

1. Toasters,

2. Blenders,
3. Microwaves,
4. Vacuums,
5. Dehumidifiers, and
6. Window air conditioners.
- (2) Large household appliances, if the appliance is owned by the household and not a landlord.
- (3) Outdoor equipment, including:
  1. Lawn mowers, and
  2. Snow blowers.
  - b. Food.
  - c. Personal hygiene items.
  - d. Basic household items, including but not limited to:
    - (1) Furnishings (e.g., tables, chairs, dressers, couches, end tables),
    - (2) Beds (e.g., mattresses, bedding),
    - (3) Curtains or window treatments,
    - (4) Car or booster seats,
    - (5) Strollers,
    - (6) Storage totes,
    - (7) Televisions,
    - (8) Laptop or desktop computers, and
    - (9) Area rugs.
  - e. Clothing.
  - f. Short-term transportation, such as bus passes.
  - g. Debris removal.
  - h. Vehicle repair or replacement, if a total loss has occurred.
  - i. Other personal property items, as determined by the department, in order to assist the household in making the dwelling or dwelling unit safe, sanitary, and secure.

**11.5(2)** Home repair assistance may be issued for home repair for an owner-occupied dwelling or dwelling unit as needed to make the dwelling or dwelling unit safe, sanitary, and secure, up to a maximum of \$5,000.

- a. Assistance will be denied if preexisting conditions are the cause of the damage.
- b. Repairs to rental dwellings or dwelling units or landlord-owned equipment are excluded under this program.
- c. Assistance may be authorized for:
  - (1) The repair of structural components, such as the foundation and roof.
  - (2) The repair of floors, walls, ceilings, doors, windows, and carpeting of essential interior living space that was occupied at the time of the disaster.
  - (3) Mitigation measures.
  - (4) Debris removal, including trees.
  - (5) Bathroom, including toilet, sink, and tub/shower.
  - (6) Sump pump installation (in a flood event only).
  - (7) Electrical or mechanical repairs.
  - (8) Water heater.
  - (9) Heating systems.
  - (10) Air-conditioning systems.
  - (11) Water well repair for dwellings or dwelling units with no other source of water available.
  - (12) Water softener repair.

**11.5(3)** Temporary housing assistance may be issued to a household for lodging at a licensed establishment, such as a hotel or motel. The household's home must be considered to be destroyed, uninhabitable, inaccessible, or unavailable to the household. Total temporary housing assistance may not exceed \$5,000 and is included as part of disaster assistance.

Temporary housing assistance may also be granted for rental unit application fees, deposits, and first month's rent for a new dwelling.

**11.5(4)** Replacement, repair, or provision of other items of necessity may be approved by the department on a case-by-case basis, up to a maximum of \$5,000.

[ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

#### **605—11.6(29C) Eligibility determination and payment.**

**11.6(1)** The contracted entity or designee shall confirm that the bona fide address provided on the application is a valid address and is reasonably believed to be in the disaster-affected area. The department or contracted entity reserves the right to view the damaged property prior to providing any assistance pursuant to IIAGP.

**11.6(2)** Designated staff in the department shall:

- a. Monitor applicants' names and addresses as reports are submitted by the administrative entity.
- b. Monitor, review, and provide timely submission of invoices by the administrative entity for payment and shall process appeals.

**11.6(3)** For applications with a voucher or reimbursement request, the department or its designee shall:

- a. Determine eligibility and the amount of payment within the rules of the program.
- b. Notify the applicant household of the eligibility decision in accordance with notice requirements in 441—Chapter 16.
- c. Authorize vouchers to an eligible household to purchase needed goods and services.
- d. Pay vendors for goods and services purchased with vouchers.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

#### **605—11.7(29C) Contested cases.**

**11.7(1)** *Reconsideration.*

a. The household may request reconsideration of decisions regarding eligibility and the amount of assistance awarded.

b. To request reconsideration, the household shall submit a written request to the Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Windsor Heights, Iowa 50324, within 30 days of the date of the letter notifying the household of the department's decision.

c. The department shall review any additional evidence or documentation submitted and issue a reconsideration decision within 30 days of receipt of the request.

**11.7(2)** *Appeal.* The household may appeal the department's reconsideration decision according to procedures in 441—Chapter 7.

a. Appeals must be submitted in writing to the Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Windsor Heights, Iowa 50324, within 30 days of the date of the reconsideration decision.

b. A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the agency.

[ARC 9312B, IAB 12/29/10, effective 3/1/11; ARC 1353C, IAB 3/5/14, effective 5/1/14; ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

#### **605—11.8(29C) Discontinuance of program.**

**11.8(1)** *Deferral to federal assistance.* Upon declaration of a disaster by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Sections 5121 to 5207, the Iowa individual assistance grant program administered under this chapter shall be discontinued in the geographic area designated by the federal individual assistance program. Upon issuance of the presidential declaration:

- a. No more applications shall be accepted.
- b. Any applications that are in process but are not yet approved shall be denied.

c. Persons seeking assistance under this program shall be advised to apply for federal disaster assistance.

**11.8(2) Exhaustion of funds.** The program shall be discontinued when funds available for the program have been exhausted. To ensure equitable treatment, applications for assistance shall be approved on a first-come, first-served basis until all funds have been depleted. “First-come, first-served” is determined by the date the application is approved for payment.

a. *Partial payment.* Because funds are limited, applications may be approved for less than the amount requested. Payment cannot be approved beyond the amount of funds available.

b. *Reserved funds.* A portion of allocated funds shall be reserved for final appeal decisions reversing the department’s denial that are received after funds for the program have been awarded.

c. *Untimely applications.* Applications received after the program is discontinued shall be denied.

[ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

These rules are intended to implement Iowa Code chapter 29C.

**605—11.9 to 11.20** Reserved.

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

DIVISION II  
IOWA DISASTER CASE ADVOCACY

**605—11.21(29C) Purpose.** The purpose of these rules is to guide the provision of the Iowa disaster case advocacy (IDCA) program during the time of emergency disaster for individual assistance when a disaster is proclaimed by the governor of the state of Iowa.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.22(29C) Definitions.**

“*Contracted entity*” means an entity chosen by the department as the contracted administrator for the IDCA program.

“*Emergency management coordinator*” means the person appointed by the local emergency management commission pursuant to Iowa Code sections 29C.9 and 29C.10 to be responsible for development of the countywide emergency operations plan and for coordination and assistance to government officials when an emergency or disaster occurs.

“*Household*” means all adults and children who lived in the pre-disaster residence who request assistance, as well as any persons, such as infants, spouses, or part-time residents, who were not present at the time of the disaster but who are expected to return during the assistance period.

“*Necessary services*” means the guidance and advice in obtaining a service, or assistance in obtaining resources from various providers for any other activity that addresses a serious need.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.23(29C) Program implementation.**

**11.23(1) Disaster proclamation.** The Iowa disaster case advocacy (IDCA) program shall be implemented when the governor issues a proclamation of a state of emergency disaster that authorizes individual assistance.

a. The program shall be in effect only in those counties named in the proclamation.

b. The program shall commence on the day following the governor’s disaster proclamation and shall be provided for a period of up to 180 days from the date of proclamation.

c. The program may be extended in intervals up to 90 days when adequate justification is presented to the department, but not to exceed 730 days from the date of the proclamation.

d. If the disaster transforms to become a presidentially declared disaster and a Federal Emergency Management Agency (FEMA) disaster case management (DCM) grant is approved, then assistance may be provided for a period of up to 24 months from the date of the proclamation.

*e.* The reporting of the numbers of contacts, cases opened, cases pending, cases closed, and other required reports requested by the department shall be submitted with a frequency determined by the department.

*f.* Audits of disaster case files, as well as cost management and expenditures, may be randomly performed by the department without notice.

**11.23(2) Contracting.** The administrative entity currently under contract for the Iowa disaster aid individual assistance grant program (IIAGP) shall receive an amended contract to specify administration of the IDCA program.

*a.* Future contract renewals shall be inclusive with the IIAGP and as amended to include the IDCA program.

*b.* If a local contracted entity is under contract with the state to provide other services or is implementing a state or federal program and the contract contains a sufficient surety bond or other adequate financial responsibility provision, the department shall accept the existing surety bond or financial responsibility provisions in lieu of applying a new or additional surety bond or financial responsibility requirement.

*c.* The contracted entity shall coordinate activities with emergency management coordinators and voluntary organizations active in the disaster while the program is active. The contracted entity may subcontract with other entities to provide disaster case advocacy with the approval of the department.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

**605—11.24(29C) Eligibility criteria.** To be eligible for assistance, an applicant household must meet all of the following conditions:

**11.24(1)** The household's residence was located in the area identified in the disaster proclamation during the designated incident period and the household verifies occupancy at that residence.

**11.24(2)** Household members are citizens of the United States or are legally residing in the United States.

**11.24(3)** The household has disaster-related needs that represent a burden that the family is unable to resolve.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.25(29C) Services.** Disaster case advocacy is a time-limited resource and process that involves a partnership between a case manager and a household impacted by a disaster (also known as a client) to develop and carry out a disaster recovery plan. This partnership provides the client with a single point of contact to facilitate access to a broad range of resources, promoting sustainable assistance for individuals and a household's recovery. These services are client-focused and provided in a manner consistent with standards for trauma-informed practice in human services.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.26(29C) Disaster-caused unmet needs.** A disaster-caused unmet need is an unresourced item, support, or assistance that has been assessed by a representative from a local, state, tribal, federal agency, voluntary, or faith-based organization and that is needed for the client to recover from the disaster. Unmet disaster-caused needs may also include basic and immediate needs, such as food, clothing, shelter, or first aid, and long-term needs, such as financial, physical, emotional or spiritual well-being.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.27(29C) Resources.** Applicable resources may include, but not be limited to, insurance payments, state assistance, voluntary/faith-based and local community assistance, federal disaster assistance, small business administration loans, and personal resources.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.28(29C) Standards and policies.**

**11.28(1) Access.** The contracted entity shall provide clients with ease of access to disaster case advocacy services.

**11.28(2) Confidentiality and duplications of benefits.**

*a.* The contracted entity shall have policies and procedures to meet requirements regarding maintaining confidentiality set forth by the department.

*b.* The contracted entity shall develop memorandums of agreement, memorandums of understanding, and release of information that will allow coordinated case advocacy and services and prevent the duplication of benefits.

**11.28(3)** *Engagement.* The case manager shall create a sustainable, trusting partnership with the client.

**11.28(4)** *Screening.* The case manager shall perform screening to determine eligibility and disaster-related unmet needs.

**11.28(5)** *Intake and assessment.* The case manager shall perform intake and assessment procedures to triage disaster-related needs of eligible households.

*a.* A case manager shall conduct an assessment specifically seeking targeted information to identify a client's disaster-related needs.

*b.* An assessment should focus on planning for recovery and meeting recovery goals.

*c.* An assessment should be conducted in person, when feasible, and should follow all standards for confidentiality and engagement.

**11.28(6)** *Recovery planning.*

*a.* A recovery plan should outline tasks for both the client and case manager based on an assessment and documentation of needed services.

*b.* The plan should identify priority needs and connect the client with resources, establish benchmarks and goals to measure progress toward recovery, and outline a case closure procedure.

*c.* The plan should be a joint effort between the case manager and the client.

*d.* The case manager should explain the available options, the resource and recovery alternatives, and the support services offered by the case manager.

**11.28(7)** *Action and advocacy.* The case manager's role in recovery includes: providing, referring or arranging for needed services and resources; verifying unmet needs, completing documentation and checking duplication of benefits; and actively advocating for the client through presentation, participation in recovery groups and interface with government and nongovernment resource providers.

**11.28(8)** *Monitoring.* Monitoring the services allows the case manager to keep documents up to date, to determine if the chosen resources are providing the services needed, and to evaluate whether adjustments are needed.

**11.28(9)** *Closure.*

*a.* Closure procedures should be outlined in the recovery plan and the roles and responsibilities of the client and case manager clearly defined.

*b.* Case closure acknowledges the recovery goals achieved, recognizes the progress made toward unmet goals, and identifies needed resources to continue progress.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.29(29C) Planning and training.** Training shall adhere to the disaster case management criteria, as prescribed by the federal Administration for Children and Families, and follow the disaster case advocacy guidelines as designed by the Iowa disaster human resource council or the approved rules of the department. The department shall request from the executive council of the state of Iowa funds to perform training in disaster case advocacy as requested and required to prepare for disaster response.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.30(29C) Payment for services.**

**11.30(1)** The department will negotiate payment with the contracted entity when the contract is established. Payment will be based on the contracted entity's actual direct and indirect costs.

**11.30(2)** The department will accept the contracted entity's federally approved indirect cost rates as required by the federal Office of Management and Budget (OMB).

**11.30(3)** The local administrative entity may draw down grant funding to pay valid claims on at least a weekly basis.

**11.30(4)** Exhaustion of funds. The program shall be discontinued when the funds available for the program have been exhausted. The department will notify the contracted entity of the total available funds for the IDCA program once funds have been approved by the executive council. To ensure equitable treatment, assistance shall be approved on a first-come, first-served basis until all funds have been exhausted.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; Editorial change: IAC Supplement 6/28/23]

**605—11.31(29C) Contested cases.**

**11.31(1) Reconsideration.**

- a. The household may request reconsideration of decisions regarding eligibility.
- b. To request reconsideration, the household shall submit a written request to the Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Windsor Heights, Iowa 50324, within 30 days of the date of the letter notifying the household of the contracted entity's decision.
- c. The department shall review any additional evidence or documentation submitted and issue a reconsideration decision within 30 days of receipt of the request.

**11.31(2) Appeal.** The household may appeal the department's reconsideration decision according to procedures in 441—Chapter 7.

- a. Appeals must be submitted in writing to the Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Windsor Heights, Iowa 50324, within 30 days of the date of the reconsideration decision.
- b. A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the agency.

[ARC 3058C, IAB 5/10/17, effective 7/1/17; ARC 6850C, IAB 2/8/23, effective 4/1/23; Editorial change: IAC Supplement 6/28/23]

These rules are intended to implement Iowa Code sections 234.6 and 29C.20B.

**605—11.32 to 11.40** Reserved.

DIVISION III  
TEMPORARY MEASURES RELATED TO DISASTERS

Rescinded IAB 5/10/17, effective 7/1/17

**605—11.41** Reserved.

**605—11.42** Reserved.

**605—11.43** Reserved.

**605—11.44** Reserved.

**605—11.45** Reserved.

**605—11.46 to 11.50** Reserved.

DIVISION IV  
IOWANS HELPING IOWANS UNMET NEEDS DISASTER ASSISTANCE PROGRAM

Rescinded IAB 5/10/17, effective 7/1/17

**605—11.51** Reserved.

**605—11.52** Reserved.

**605—11.53** Reserved.

**605—11.54** Reserved.

**605—11.55** Reserved.

**605—11.56** Reserved.

**605—11.57** Reserved.

**605—11.58** Reserved.

**605—11.59** and **11.60** Reserved.

DIVISION V  
TICKET TO HOPE PROGRAM

Rescinded IAB 5/10/17, effective 7/1/17

**605—11.61** Reserved.

**605—11.62** Reserved.

**605—11.63** Reserved.

**605—11.64** Reserved.

**605—11.65** Reserved.

**605—11.66** Reserved.

**605—11.67** Reserved.

**605—11.68** Reserved.

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[Filed ARC 8007B (Notice ARC 7604B, IAB 3/11/09), IAB 7/29/09, effective 9/2/09]

[Filed ARC 8640B (Notice ARC 8460B, IAB 1/13/10), IAB 4/7/10, effective 5/12/10]

[Filed Emergency ARC 9130B, IAB 10/6/10, effective 9/15/10]

[Filed Emergency ARC 9128B, IAB 10/6/10, effective 10/1/10]

[Filed ARC 9313B (Notice ARC 9131B, IAB 10/6/10), IAB 12/29/10, effective 2/2/11]

[Filed ARC 9312B (Notice ARC 9129B, IAB 10/6/10), IAB 12/29/10, effective 3/1/11]

[Filed ARC 1353C (Notice ARC 1257C, IAB 12/25/13), IAB 3/5/14, effective 5/1/14]

[Filed ARC 3058C (Notice ARC 2898C, IAB 1/18/17), IAB 5/10/17, effective 7/1/17]

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[Filed ARC 6850C (Notice ARC 6690C, IAB 11/30/22), IAB 2/8/23, effective 4/1/23]

[Editorial change: IAC Supplement 6/28/23]



CHAPTER 12  
HOMELAND SECURITY AND EMERGENCY RESPONSE TEAMS

Chapter rescission date pursuant to Iowa Code section 17A.7: 11/19/30

**605—12.1(29C) Purpose.** The duties of the director of the homeland security and emergency management department include the development and ongoing operation of homeland security and emergency response teams to be deployed by the state to supplement and enhance local resources during times of disaster and emergency. These rules are intended to specify how teams and team members will be designated, minimum standards that shall be maintained, and the use of the teams.

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

**605—12.2(29C) Definitions.**

*“Director”* means the same as defined in Iowa Code section 29C.2.

*“Governor’s disaster proclamation”* means the proclamation of disaster emergency issued by the governor in accordance with Iowa Code section 29C.6.

*“Homeland security advisory committee”* means the advisory committee created by the director for the purpose of providing advice on public safety response issues within Iowa.

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

**605—12.3(29C) Homeland security and emergency response teams.**

**12.3(1)** The director shall issue requests to create homeland security and emergency response teams based on identified needs, on recommendations from the homeland security advisory committee, and at the request of the governor.

**12.3(2)** Each team shall be designated by the director. To be eligible for designation, a team shall provide a written application to the director that details the following information:

- a. Type of assistance that the team provides.
- b. Emergency response team information.
  - (1) Team name.
  - (2) Team location.
  - (3) 24/7 contact information and procedures.
  - (4) Team agency, including head of agency and contact information.
  - (5) Team commander and assistant commander, including contact information.
  - (6) Titles, names, and responsibilities of deployable response personnel assigned to the team.
- c. Listing of applicable local, state, and national standards and certifications to which team members are trained and certified.
- d. Detailed listing of the team’s major response assets that are related to the team’s mission. The listing shall provide details related to self-sufficiency, including the amount of time the team can remain self-sufficient.
- e. Listing of communications assets, including radio frequencies used and any interoperability capabilities.
- f. An estimate of the time needed to assemble the team members and assets and deploy upon the request of the director or governor.

**12.3(3)** Upon receipt of the written application from the team, the director shall review the application. The director may seek additional information from the team. The team shall provide the requested information in a timely fashion.

**12.3(4)** Following approval of the application, the director shall issue a letter formally designating the team as an “Iowa homeland security and emergency response team” in accordance with Iowa Code section 29C.8. The director may enter into an agreement with the team in accordance with Iowa Code chapter 28E.

**12.3(5)** Upon acceptance as a homeland security and emergency response team, the team shall routinely update all records to accurately reflect membership rosters and major assets at the team’s disposal. The team shall update records any time personnel are added to or removed from the team.

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

**605—12.4(29C) Use of homeland security and emergency response teams.**

**12.4(1)** A designated team may be deployed in accordance with Iowa Code section 29C.8(3)“f,” 29C.21 or 29C.22.

**12.4(2)** A designated team shall be deployed as a state asset only by a directive from the director or pursuant to a governor’s disaster proclamation unless the sponsoring agency’s response team is needed to perform emergency services within its own jurisdiction. Should the response team perform emergency services within its own jurisdiction without a directive from the director or pursuant to a governor’s disaster proclamation, the team will be responsible for all associated costs.

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

**605—12.5(29C) Homeland security and emergency response team compensation.**

**12.5(1)** A homeland security and emergency response team will be compensated for its expenses while it is deployed as a state asset in accordance with Iowa Code section 29C.8(3)“f” and rule 605—12.4(29C), subject to availability of funds. The application for compensation will be in a manner as specified by the director. Compensation shall be made to the team or the team’s governing jurisdiction.

**12.5(2)** The homeland security and emergency response team’s materials, equipment and supplies consumed or damaged while the team is deployed in accordance with rule 605—12.4(29C) shall be reimbursed on a replacement cost basis, subject to the availability of funds.

**12.5(3)** The director shall request funds from the executive council to address any obligations under rule 605—12.5(29C).

**12.5(4)** Should the response team perform emergency services within its own jurisdiction without a directive from the director or pursuant to a governor’s disaster proclamation, the team will be responsible for all associated costs.

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

**605—12.6(29C) Alternate deployment of homeland security and emergency response teams.**

**12.6(1)** At its discretion, a homeland security and emergency response team may deploy at the direct request of a political subdivision of the state without a directive from the director or without a governor’s disaster proclamation.

**12.6(2)** The provisions of rule 605—12.5(29C) do not apply to a team deployed under rule 605—12.6(29C). A team deployed upon local request may seek compensation from the political subdivision making the request and in accordance with any mutual aid agreements that may exist at the time of deployment, including those authorized by Iowa Code section 29C.22.

**12.6(3)** If, during a team deployment, a governor’s disaster proclamation is issued, the director shall specify the date and time when the team may be deployed under rules 605—12.4(29C) and 605—12.5(29C).

[ARC 9612C, IAB 10/15/25, effective 11/19/25]

These rules are intended to implement Iowa Code chapter 29C.

[Filed 3/19/07, Notice 12/20/06—published 4/11/07, effective 5/16/07]

[Filed ARC 2330C (Notice ARC 2210C, IAB 10/28/15), IAB 12/23/15, effective 1/27/16]

[Filed ARC 9612C (Notice ARC 9486C, IAB 8/20/25), IAB 10/15/25, effective 11/19/25]

CHAPTER 13  
SCHOOL SAFETY

Chapter rescission date pursuant to Iowa Code section 17A.7: 3/26/30

DIVISION I  
APPROVED WEAPON DETECTION SECURITY EQUIPMENT

PREAMBLE

This division implements a program to develop a list of allowable school safety equipment. The equipment in this division is specific to unholstered weapons detection capabilities within a school building or on school property.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.1(90GA, HF2652) Program implementation.**

**13.1(1)** The department will produce and post a list of vendors and products on the department's website meeting the criteria in rule 605—13.2(90GA, HF2652).

**13.1(2)** The initial list will be established through an application form posted on the department's website at [homelandsecurity.iowa.gov](http://homelandsecurity.iowa.gov).

**13.1(3)** Vendors wishing to be added to the list at any time may submit the application found on the department's website for consideration and inclusion on the department's list.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.2(90GA, HF2652) Eligibility criteria.** Eligibility for vendors and products to appear on the list will be in accordance with appropriate state and federal laws and regulations, including but not limited to the following:

**13.2(1)** Security requirements.

a. Iowa Code section 423F.3(6) "a"(5).

b. Vendors identified as prohibited companies by a federal acquisition regulation, or other memorandum, are excluded from use. Excluded vendors include but are not limited to the following:

(1) Federal Acquisition Regulation (FAR) 52.204-24 as amended through September 2024—representation regarding certain telecommunications and video surveillance services or equipment.

(2) FAR 52.204-25 as amended through September 2024—prohibition on contracting for certain telecommunications and video surveillance services or equipment.

(3) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

c. Self-certification of provisions within Iowa Code section 423F.3(6) "a"(5)(a) and rule 605—13.2(90GA, HF2652), subject to review and confirmation by the department.

**13.2(2)** Eligibility criteria in addition to those in Iowa Code section 423F.3(6) "a"(5)(i) through 423F.3(6) "a"(5)(ix).

a. The vendor is experienced in deploying and maintaining similar types of systems.

b. The system is capable of integrating with existing security cameras (monitoring and alerting) systems.

c. The system has the ability to process input in real time.

d. The computer/mobile device user interface is intuitive and easy to use.

e. The vendor provides full implementation and user support services.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.3(90GA, HF2652) System security requirements.**

**13.3(1)** *Transmission.*

a. Ownership of video associated with the instance of an unholstered weapon is the sole property of the school district that purchased and installed the software.

b. A request for duplication or transmission of an incident by the prosecuting attorney or appropriate law enforcement will be complied with.

c. The decision to transmit to outside sources will be made by the school district with the concurrence of the prosecuting attorney or appropriate law enforcement authorization.

**13.3(2) Encryption.** Data collected by the system, including video, is encrypted in transit and at rest. Transport Layer Security (TLS) 1.2 or higher will be used for encryption in transit.

**13.3(3) Authentication.** Multifactor authentication (MFA) is implemented for administrative access to the system.

**13.3(4) Privacy.** Personally identifiable information, including student images, is not streamed live or stored with the vendor with the exception of rule 605—13.4(90GA, HF2652).

**13.3(5) Storage.** The system does not process, store, transmit, or allow access to, data from outside the continental United States (OCONUS).

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.4(90GA, HF2652) Data retention for storage of video and data.** All video and data associated with an instance of a suspected unholstered weapon shall be maintained for 2,555 days and meet all agency retention requirements.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.5 to 13.20** Reserved.

## DIVISION II GRANT PROGRAM

### PREAMBLE

This division implements a grant program to provide grants to applicable school districts. The grant program is to be used by school districts for purchasing infrastructure and equipment related to employee permits to carry weapons, facilitate training associated with employee permits to carry weapons, and provide stipends to employees who participate in the training associated with employee permits to carry weapons.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.21(90GA, HF2652) Definitions.**

*“Equipment”* means tangible personal property having a useful life of more than one year for the fulfillment of 2024 Iowa Acts, House File 2586, section 2.

*“Infrastructure”* means the same as defined in Iowa Code section 423F.3.

*“Training”* means the same as described in Iowa Code section 724.6.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.22(90GA, HF2652) Eligibility criteria.** Eligible applicants include public school districts, private schools, and institutions of higher education as defined in Iowa Code chapter 256.

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

**605—13.23(90GA, HF2652) Application process.** When funding is available, the application for grant funds will be posted on the department’s website at [homelandsecurity.iowa.gov](http://homelandsecurity.iowa.gov).

[ARC 8906C, IAB 2/19/25, effective 3/26/25]

These rules are intended to implement 2024 Iowa Acts, House File 2652.

[Filed ARC 8906C (Notice ARC 8579C, IAB 12/25/24), IAB 2/19/25, effective 3/26/25]

CHAPTER 14  
FLOOD MITIGATION PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 11/19/30

**605—14.1(418) Purpose.** In accordance with Iowa Code section 418.7, the flood mitigation board establishes the policies and procedures for the creation and administration of an Iowa flood mitigation program and all authorized funding sources detailed in Iowa Code chapter 418 and under control of the flood mitigation board.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.2(418) Definitions.**

“*Board*” means the flood mitigation board as created in Iowa Code section 418.5.

“*Department*” means the same as defined in Iowa Code section 418.1.

“*Director*” means the same as defined in Iowa Code section 29C.2.

“*Governmental entity*” means the same as defined in Iowa Code section 418.1.

“*Project*” means the same as defined in Iowa Code section 418.1.

“*Sales tax*” means the same as defined in Iowa Code section 418.1.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.3(418) Board.**

**14.3(1)** The board is established and housed, for administrative purposes, within the department. The director may provide office space, staff assistance, supplies and equipment, and budget funds to pay the necessary expenses of the board.

**14.3(2)** The board shall be established and composed pursuant to Iowa Code section 418.5.

**14.3(3)** The board shall meet at a time and place determined by the board. Additional meetings may be called by the following:

- a. Chairperson,
- b. Vice chairperson, or
- c. Director.

**14.3(4)** All meetings of the board are public meetings and shall be conducted in accordance with Iowa Code chapter 21.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.4(418) Flood mitigation project eligibility.**

**14.4(1)** An eligible applicant is a governmental entity as defined in rule 605—14.2(418).

**14.4(2)** Eligible project types include those defined as “project” in Iowa Code section 418.1.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.5(418) Applications.** The board will prescribe the form of the applications, instructions and associated documents. In addition to requirements for applications and project plans detailed in Iowa Code section 418.9, applications, requirements, instructions, programmatic guidance, and forms are available through the department and its website, [homelandsecurity.iowa.gov](http://homelandsecurity.iowa.gov).

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.6(418) Sales tax increment calculation and sales tax increment fund.** The calculation of the sales tax increment and operation of the fund is addressed in 701—Chapter 272.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

**605—14.7(418) Reports.**

**14.7(1)** Following the approval of a project application, the governmental entity shall, on or before December 15 of each year, submit a report to the board detailing the following:

- a. The current status of the project.
- b. The total expenditures and types of expenditures that have been made related to the project.

- c. The amount of total project cost remaining as of the date the report is submitted.
- d. The amounts, types, and sources of funding being used.
- e. The amount of bonds issued or other indebtedness incurred for the project, including information related to the rate of interest, length of term, cost of issuance, and net proceeds. This report will also include the amounts and types of moneys used for payment of such bonds or indebtedness.

**14.7(2)** The treasurer of state shall report to the department any moneys that are disbursed to a recipient of financial assistance under the program.

**14.7(3)** Any governmental entity that receives assistance in the form of sales tax revenues under the program shall provide to the board all reports that are mandated as part of receiving federal financial assistance.

[ARC 9613C, IAB 10/15/25, effective 11/19/25]

These rules are intended to implement Iowa Code chapter 418.

[Filed ARC 1114C (Notice ARC 0956C, IAB 8/21/13), IAB 10/16/13, effective 11/20/13]

[Filed ARC 2220C (Notice ARC 2119C, IAB 9/2/15), IAB 10/28/15, effective 12/2/15]

[Filed ARC 4410C (Notice ARC 4314C, IAB 2/27/19), IAB 4/24/19, effective 5/29/19]

[Filed Emergency ARC 4499C, IAB 6/19/19, effective 5/22/19]

[Filed ARC 4638C (Notice ARC 4498C, IAB 6/19/19), IAB 8/28/19, effective 10/2/19]

[Filed ARC 9613C (Notice ARC 9485C, IAB 8/20/25), IAB 10/15/25, effective 11/19/25]

CHAPTER 15  
MASS NOTIFICATION AND EMERGENCY MESSAGING SYSTEM

Chapter rescission date pursuant to Iowa Code section 17A.7: 6/18/30

**605—15.1(29C) Purpose.** In accordance with Iowa Code section 29C.17A, the department of homeland security and emergency management establishes the policies and procedures for the creation and administration of a statewide mass notification and emergency messaging system.

[ARC 9255C, IAB 5/14/25, effective 6/18/25]

**605—15.2(29C) Definitions.** For the purpose of this chapter, the following definitions apply:

“*Commission*” means the same as defined in Iowa Code section 29C.2.

“*Department*” means the same as defined in Iowa Code section 29C.2.

“*Director*” means the same as defined in Iowa Code section 29C.2.

“*Mass notification and emergency messaging system*” or “*system*” means a system operated by the department, which disseminates imminent emergency and public safety-related information.

“*State agency*” means a principal central department enumerated in Iowa Code section 7E.5.

[ARC 9255C, IAB 5/14/25, effective 6/18/25]

**605—15.3(29C) Application for access.**

**15.3(1)** A state agency or commission may apply to the department for access to the system for use by state, county and local officials. The application will contain the following:

- a. Name of state agency or commission submitting the application.
- b. Primary point of contact for implementation and administration of the system at the applicant’s level.
- c. Signature of the state agency director or chair of the commission.
- d. Operational plan and procedures created in accordance with rule 605—15.4(29C).

**15.3(2)** All applications will be reviewed by the director or designated staff to ensure that the application meets all of the guidelines established in this chapter. If the application does not meet all of the guidelines, the state agency or commission will be notified of such shortfalls and possible remedies.

**15.3(3)** If all of the guidelines have been met and the director chooses to grant access to the system, the state agency or commission will be notified of acceptance.

**15.3(4)** If the director chooses not to grant the state agency or commission access to the system, the director will provide notice to the state agency or commission and provide information regarding the decision.

**15.3(5)** After access to the system has been granted, the director may revoke or suspend such access if the director determines that the state agency or commission is not using the system in accordance with Iowa Code sections 22.7, 29C.2 and 29C.17A and this chapter.

[ARC 9255C, IAB 5/14/25, effective 6/18/25]

**605—15.4(29C) Operational plan and procedures.**

**15.4(1)** Each state agency or commission that applies to access the system will develop and maintain an operational plan and procedures. The operational plan and procedures will contain the following:

- a. Introductory paragraphs that provide a summary of, the purpose of, and the authorities for the operational plan and procedures document.
- b. A description of the system and a listing of the types of imminent emergency alerts and public safety-related information that will be communicated to the public via the system.
- c. The contact information for the individual who will function as the state agency’s or commission’s administrator for the system and who will be the primary contact point for the department and system vendor.
- d. A listing of those positions or individuals that are authorized to initiate emergency alerts and mass notification messages via the system. These individuals shall complete any federally specified training needed to access any federal messaging systems that are utilized by the statewide system.

*e.* A listing of those positions or individuals that are authorized to conduct system database maintenance.

*f.* The detailed process by which emergency alerts or mass notification messages will be developed, reviewed, and authorized for dissemination.

*g.* A listing by the commission of any memorandums of understanding completed with neighboring counties for the purpose of allowing cross-border emergency alerts or mass notification messaging when an incident will impact the public outside the incident county within 30 minutes and will cause the public to be endangered if action is not taken by the public. Copies of such agreements shall be included within the operational plan and procedures document.

*h.* A glossary of definitions for message types that can be issued by the system.

**15.4(2)** The state agency or commission will complete a memorandum of agreement with the Federal Emergency Management Agency (FEMA) Integrated Public Alert and Warning System (IPAWS) program management office for the purpose of accessing IPAWS. A copy of the approved agreement will be included within the operational plan and procedures document.

**15.4(3)** The state agency or commission will complete a user agreement with the department. The user agreement specifies that, by accessing the system, users may be exposed to information deemed confidential under Iowa Code chapter 22. A copy of the user agreement will be included within the operational plan and procedures document.

**15.4(4)** The department has developed an operational plan and procedures template to be used by all state agencies and commissions making application to access the system. All operational plans and procedures developed by the state agencies or commissions and submitted for approval should substantially conform to this template.

[ARC 9255C, IAB 5/14/25, effective 6/18/25]

These rules are intended to implement Iowa Code sections 22.7, 29C.2 and 29C.17A.

[Filed Emergency ARC 1712C, IAB 11/12/14, effective 10/15/14]

[Filed ARC 1955C (Notice ARC 1713C, IAB 11/12/14), IAB 4/15/15, effective 5/20/15]

[Filed ARC 6829C (Notice ARC 6534C, IAB 9/21/22), IAB 1/25/23, effective 3/1/23]

[Filed ARC 9255C (Notice ARC 9017C, IAB 3/19/25), IAB 5/14/25, effective 6/18/25]

CHAPTER 16  
NATURAL HAZARD MITIGATION FINANCING PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/14/31

**605—16.1(29D) Statutory authority, purpose, and general policy.**

**16.1(1) *Statutory authority.*** The department of homeland security and emergency management (department) and the Iowa finance authority (authority) are jointly designated to administer the natural hazard mitigation financing program, also known as the STRLF. Authority to administer this fund is provided by Iowa Code chapter 29D as enacted by 2025 Iowa Acts, Senate File 619 (Senate File 619), and the federal STORM Act (42 U.S.C. §5135 as of July 1, 2025).

**16.1(2) *Purpose.*** This chapter provides the definitions and general project and program administration rules for the STRLF program.

**16.1(3) *Administration.*** The director may coordinate with the authority under the terms of an interagency agreement entered into pursuant to Iowa Code chapter 28E.

**16.1(4) *State capitalization grant.*** The STORM Act authorizes the administrator of the Federal Emergency Management Agency (FEMA) to offer capitalization grants to states for use in a revolving loan fund program. As allowed by the STORM Act, a portion of the capitalization grant, or of the STRLF itself, if necessary, may be used by the authority and the department to administer the STRLF program.

**16.1(5) *Project determination.*** A project must comply with this chapter, the IUP current at the time, Iowa Code chapter 29D as enacted by Senate File 619, and the STORM Act to be eligible for a STRLF loan. The department shall use a priority rating system outlined in the IUP to rank eligible projects for funding. STRLF assistance will be available to projects in priority order.

**16.1(6) *Decisions.*** Department decisions are final unless the loan applicant files a written request for reconsideration for review with the director within 30 days. The request must be addressed to the director and clearly state the decision in question and the basis for the reconsideration. The director will issue a written ruling on the request for reconsideration within 30 days of receiving the request. Final decisions of the department, including a ruling on a request for reconsideration, are subject to judicial review pursuant to Iowa Code chapter 17A.

[ARC 9818C, IAB 12/10/25, effective 1/14/26]

**605—16.2(29D) Definitions.** The definitions and references in Iowa Code section 29D.2 as enacted by Senate File 619 shall apply to this chapter. The following definitions are also applicable to this chapter:

“*Fiscal year*” means the state fiscal year starting July 1 and ending June 30.

“*Intended use plan*” or “*IUP*” means a plan identifying the intended uses of funds available for loans in the STRLF for each fiscal year as described in the STORM Act.

“*Project proposal list*” or “*PPL*” means a priority-ranked list of mitigation projects the department may fund using STRLF funds.

“*Safeguarding tomorrow revolving loan fund*” or “*STRLF*” means the natural hazard mitigation financing program as defined in Iowa Code chapter 29D as enacted by Senate File 619.

“*Safeguarding tomorrow through ongoing risk mitigation Act*” or “*STORM Act*” means the same as defined in Iowa Code section 29D.2 as enacted by Senate File 619.

[ARC 9818C, IAB 12/10/25, effective 1/14/26]

**605—16.3(29D) IUP preparation and public participation.**

**16.3(1) *Development.*** The department shall prepare an IUP pursuant to the STORM Act at least annually and on a quarterly basis as needed. The IUP will be available for public input and approved by the director. The public has an opportunity annually, and quarterly as needed, to comment on both the PPL and the IUP.

**16.3(2) *Notification.*** Reasonable notice of a public comment period will be provided prior to the department submitting the IUP and capitalization grant application materials to FEMA. A public notice calling for project proposals to be added to the PPL will be provided not less than six weeks prior to the

submission of an application for a capitalization grant. All materials relating to the IUP and PPL will be posted at [homelandsecurity.iowa.gov](http://homelandsecurity.iowa.gov).

**16.3(3) Comments.** Comments regarding the proposed IUP will be accepted during the notice period. After evaluation of all pertinent comments, the IUP will be revised, if necessary, and recommended for the director's approval. Subsequent approval by the director will establish the IUP to be used for loan assistance.

[ARC 9818C, IAB 12/10/25, effective 1/14/26]

**605—16.4(29D) IUP contents.**

**16.4(1) Status and use of available funds.** In addition to federal requirements, the IUP will identify the anticipated availability and uses of STRLF funds available for that fiscal year, including, at a minimum:

- a. The status of the STRLF,
- b. A method of prioritizing projects,
- c. The anticipated terms of assistance provided by the STRLF, and
- d. The anticipated amount of funding available from the STRLF for that fiscal year.

**16.4(2) State PPL.** The state PPL contains the projects eligible for STRLF direct loans. The PPL includes projects scheduled for loans from funds available during the fiscal year and eligible projects for which STRLF funding is not yet available. Projects or activities qualifying for STRLF assistance shall be identified in the IUP on the state PPL, developed pursuant to this chapter, and only those projects or activities may be considered fundable. Projects will be considered in priority order for placement on the fundable list. The PPL will be reviewed at least annually or quarterly as needed to update priorities, schedules, and project cost estimates.

**16.4(3) Timing.**

- a. Applications may be submitted on an ongoing basis and will be reviewed in accordance with the schedule in the IUP.
- b. Applications received after the IUP is submitted to FEMA will not be placed on the PPL for that quarter but will be considered for loan assistance when the next IUP is prepared.
- c. The department may exclude from the PPL any projects that do not meet program requirements at the time of application.

[ARC 9818C, IAB 12/10/25, effective 1/14/26]

These rules are intended to implement Iowa Code chapter 29D as enacted by Senate File 619.

[Filed ARC 9818C (Notice ARC 9606C, IAB 10/15/25), IAB 12/10/25, effective 1/14/26]

CHAPTERS 17 to 99  
Reserved  
*IOWA EMERGENCY RESPONSE  
COMMISSION*

CHAPTER 100  
MISSION OF COMMISSION  
[Prior to 7/29/87, Natural Resources Department(561) Ch 100]  
[Prior to 2/7/90, Public Defense Department(650) Ch 100]  
[Prior to 12/23/92, Disaster Services Division(607) Ch 101]  
Rescinded **ARC 3663C**, IAB 2/28/18, effective 4/4/18

CHAPTER 101  
OPERATIONS OF COMMISSION  
[Prior to 7/29/87, Natural Resources Department (561) Ch 101]  
[Prior to 2/7/90, Public Defense Department(650) Ch 101]  
[Prior to 12/23/92, Disaster Services Division(607) Ch 101]  
Rescinded **ARC 3663C**, IAB 2/28/18, effective 4/4/18



CHAPTER 102  
EMERGENCY PLANNING AND REPORTING

[Prior to 2/7/90, Public Defense Department(650) Ch 102]  
[Prior to 12/23/92, Disaster Services Division(607) Ch 101]

Chapter rescission date pursuant to Iowa Code section 17A.7: 11/19/30

DIVISION I—EMERGENCY PLANNING DISTRICTS

**605—102.1(30) Designation and organization of emergency planning districts.** The department of homeland security and emergency management (department) is required to designate emergency planning districts. A local emergency planning committee is appointed by the department for each emergency planning district. The local emergency planning committee shall be responsible for the implementation of Emergency Planning and Community Right-to-Know Act (EPCRA) activities in each of the emergency planning districts, including facilitating preparation and implementation of emergency planning for the emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.2(30) Emergency planning districts—counties.** Each of the presently existing 99 Iowa counties is designated as the geographic boundaries for an emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.3(30) Application to modify districts.** Two or more local emergency planning committees with commonality of interests may petition the department to amend, modify, or combine their districts. Petitions shall specify the geographical district requested, the reasons for the change, the benefit to the public by the designation of the proposed geographical district, and the proposed date for the change in designation.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.4 to 102.10** Reserved.

DIVISION II—LOCAL EMERGENCY PLANNING COMMITTEES

**605—102.11(30) Appointment of local emergency planning committees (LEPCs).**

**102.11(1) Purpose.** The Iowa emergency response commission (IERC) reviews membership lists of persons to serve on an LEPC. Annually, the LEPC chair will submit a current LEPC membership list with the chair's signature and date the document to verify current and authorized membership. The current verified membership list will be sent to the IERC.

**102.11(2) Representation.** At minimum, each LEPC should be comprised of a representative from each of the following groups or organizations:

- a. Elected state and local officials,
- b. Law enforcement personnel,
- c. Emergency management personnel,
- d. Firefighting personnel,
- e. First-aid personnel,
- f. Health personnel,
- g. Local environmental personnel,
- h. Hospital personnel,
- i. Transportation personnel,
- j. Broadcast and print media,
- k. Community groups, and
- l. Owners and operators of facilities subject to the requirements of EPCRA.

A person may represent one or more of the disciplines listed, provided the person is duly appointed by each group or organization to be represented.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.12(30) LEPC members.**

**102.12(1) *Appointment of LEPCs.*** Nominations to an existing LEPC shall be made by the LEPC, and the department shall be notified. Vacancies on the LEPC shall be filled in accordance with this subrule.

**102.12(2) *Meeting participation.*** Any member of the local emergency management commission may participate in any meeting of the LEPC. If the local emergency management commission member is not the appointed representative of one of the groups or organizations specified in subrule 102.11(2), the local emergency management commission member shall not be eligible to vote on any issue before the LEPC.

**102.12(3) *Member changes.*** The department may revise the appointments made as it deems appropriate. Interested persons may petition the department to modify the membership of an LEPC.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.13(30) LEPC duties.**

**102.13(1)** The LEPC shall establish procedures for the functioning of the committee to include:

- a. The length of terms of the LEPC members and the selection of a chair and vice chair;
- b. The public notification of committee activity (42 U.S.C. 11001(c));
- c. The conduct of public meetings to discuss the emergency plan (Iowa Code chapter 21 and 42 U.S.C. 11001(c)); and
- d. The procedures for receiving and responding to public comments and the distribution of emergency plans (42 U.S.C. 11001(c)).

**102.13(2)** The LEPC shall establish procedures for receiving and processing requests from the public for information under EPCRA Section 324, including Form Tier II information under EPCRA Section 312 (42 U.S.C. 11001(c)).

**102.13(3)** The LEPC shall designate a 24-hour emergency contact point(s) for the immediate receipt of chemical release notifications (42 U.S.C. 11003(c)(3)).

**102.13(4)** The LEPC shall designate an official to respond to requests for information from the public for safety data sheets (SDSs), chemical lists, chemical inventory forms, emergency response plans, and toxic chemical release forms. The information, including minutes of LEPC meetings and related committee actions, shall be available to the public during normal working hours at a location designated by the LEPC (42 U.S.C. 11044(a)).

**102.13(5)** The LEPC shall prepare an emergency plan for the district and shall review and revise as necessary the emergency plan at least annually. Both the initial emergency plan and any updates or revisions shall be submitted by the LEPC to the department in accordance with rule 605—102.14(30) (42 U.S.C. 11003(a), 42 U.S.C. 11003(e)).

**102.13(6)** The LEPC shall evaluate the need for resources in the district necessary to develop, implement, and exercise the emergency plan(s) and make recommendations (42 U.S.C. 11003(b)).

**102.13(7)** The LEPC shall maintain a current listing of the emergency coordinators designated by each covered facility (42 U.S.C. 11003(d)(1)).

**102.13(8)** The LEPC shall receive, review and act upon information updates from covered facilities regarding emergency planning.

**102.13(9)** The LEPC shall annually publish notice that emergency response plans, SDSs, and inventory forms have been submitted and how the public can obtain access to the material for review (42 U.S.C. 11044(b)).

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.14(30) Emergency response plan development.** The department acknowledges that emergency planning includes more than chemical release planning. The chemical release planning required by this chapter and EPCRA shall be included in the comprehensive emergency planning conducted by the local emergency management commission per Iowa Code chapter 29C and planning standards of the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.15(30) LEPC office.** The LEPC shall designate a local government office that will serve as the focal point for receiving nonemergency notifications from facilities that are subject to the law. This office shall also be the depository for SDSs, chemical lists, chemical inventory forms, emergency response plans, and toxic chemical release forms; a point of contact for the public regarding community right-to-know inquiries; and the office of record for minutes of LEPC meetings and related committee actions.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.16(30) LEPC meetings.** The LEPC shall meet as frequently as deemed necessary by the chair until the local emergency operations plan is developed and concurred with by the joint administration and reviewed by the department. Subsequent to plan approval, the LEPC is required to meet at least annually to review emergency response procedures, review emergency plans and ensure the actions required are properly administered within the local emergency planning district.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.17(30) Local emergency response plan submission.** After completion of the initial emergency response plan and any subsequent revisions thereto, the LEPC shall submit a copy to the department. The department shall review the submission and make recommendations to the LEPC on appropriate revisions that may be necessary to comply with provisions in 42 U.S.C. 11003(c) and state planning standards in 605—Chapter 7 to ensure coordination with emergency response plans of other emergency planning districts, the state of Iowa, and adjacent states. To the maximum extent practicable, the review shall not delay implementation of the plan or revisions thereto. All plans shall be submitted annually by a date determined by the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.18 to 102.20** Reserved.

#### DIVISION III—REPORTS AND RECORDS

**605—102.21(30) Department of homeland security and emergency management.**

**102.21(1) Emergency planning notification.** The owner or operator of each facility subject to the planning notification requirement shall notify the department that the facility is subject to the requirements of EPCRA Section 302, 42 U.S.C. 11002. The notification is to be on the Tier II form specified in subrule 102.22(4). The facility owner or operator shall submit the notification to the department of natural resources (DNR) by March 1 for covered chemicals in its possession. If the facility is reporting chemicals to the DNR on the Tier II form pursuant to subrule 102.22(4), a duplicate report is not required. The report shall be revised by a notification on the Tier II form within 60 days after the acquisition of chemicals meeting the notification requirements and reported to the department.

**102.21(2) Plan development.** Each LEPC shall prepare a comprehensive emergency response plan pursuant to 42 U.S.C. 11033 that will become an integrated portion of the emergency plan established by the joint administration. Where a local emergency planning district exceeds the jurisdictional boundaries of a single joint administration, a comprehensive emergency response plan shall be developed for each joint administration at least annually. The plan shall be reviewed and revised as necessary. The joint administration shall not change the plan without the approval of the LEPC.

**102.21(3) Submissions.** Plans and notifications required under this rule will be submitted electronically to the department.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.22(30) Department of natural resources.**

**102.22(1) Emergency notifications of releases.** Each release subject to the requirements of EPCRA Section 304, 42 U.S.C. 11004, shall be submitted to the DNR. This notification shall be done in conjunction with the notification required by rule 567—105.5(455B). Notification of a release shall be telephoned to the DNR at 515.725.8694 immediately. A follow-up report shall be made within 30 days.

**102.22(2) Toxic chemical release form.** The owner or operator of a facility subject to the requirements of EPCRA Section 313, 42 U.S.C. 11023, shall submit information required by the federal Environmental

Protection Agency regulations to the DNR, if requested. The information for the previous calendar year shall be submitted by July 1 of the following year.

**102.22(3) *SDS information.*** The owner or operator of a facility required to prepare or have available an SDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 and regulations promulgated under that Act shall submit a list of each chemical or an SDS required to be submitted under EPCRA Section 311, 42 U.S.C. 11021. The list/SDS shall be submitted to the DNR and to the appropriate LEPC and the fire department in whose jurisdiction the facility is located. The list/SDS must be submitted to the DNR within 90 days of the facility first acquiring the chemical above reporting thresholds.

**102.22(4) *Emergency and hazardous chemical inventory form (Tier II).*** The owner or operator of a facility required to prepare or have available an SDS for a hazardous chemical under the Occupational Safety and Health Act of 1970 and regulations promulgated under that Act shall submit emergency and hazardous chemical inventory information required to be submitted under EPCRA Section 312, 42 U.S.C. 11022. The information shall be submitted to the DNR, the appropriate LEPC, and the fire department in whose jurisdiction the facility is located by March 1 for the chemicals in its inventory the preceding calendar year. Tier I forms will not be accepted. The information shall be submitted via the DNR online Tier II reporting tool.

**102.22(5) *Submissions.*** Notifications and reports required under this rule shall be submitted to the Department of Natural Resources, EPCRA, 6200 Park Avenue, Suite 200, Des Moines, Iowa 50321, or electronically through online reporting tools as noted in subrule 102.22(4). Additional information can be found in rule 567—131.2(455B).

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

**605—102.23(30) References to federal law.** Unless otherwise specified, all references in this chapter to federal statutes are to those provisions in effect on November 19, 2025.

[ARC 9614C, IAB 10/15/25, effective 11/19/25]

These rules are intended to implement Iowa Code chapter 30.

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CHAPTER 103  
LOCAL EMERGENCY PLANNING COMMITTEES  
[Prior to 2/7/90, Public Defense Department(650) Ch 103]  
[Prior to 12/23/92, Disaster Services Division(607) Ch 103]  
Rescinded **ARC 9614C**, IAB 10/15/25, effective 11/19/25

CHAPTER 104  
REQUIRED REPORTS AND RECORDS  
Rescinded **ARC 9614C**, IAB 10/15/25, effective 11/19/25