

CHAPTER 6
DECLARATORY ORDERS

Chapter rescission date pursuant to Iowa Code section 17A.7: 2/14/29

The department of management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to declaratory orders, which are published on the Iowa general assembly's website at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.1(17A) Petition for declaratory order. In lieu of “(designate agency)”, insert “department”. In lieu of “(designate office)”, insert “the Director’s Office, Department of Management, State Capitol Room 13, 1007 East Grand Avenue, Des Moines, Iowa 50319-0015”. In lieu of “(AGENCY NAME)”, the heading on the petition form should read:

BEFORE THE DEPARTMENT OF MANAGEMENT

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.2(17A) Notice of petition. In lieu of “__ days (15 or less)”, insert “15 days”. In lieu of “(designate agency)”, insert “the department”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.3(17A) Intervention.

6.3(1) In lieu of “within __ days”, insert “within 15 days”. Strike “(after time for notice under X.2(17A))”. In lieu of “X.8(17A))”, insert “6.8(17A))”.

6.3(2) In lieu of “(designate agency)”, insert “the department”.

6.3(3) In lieu of “(designate office)”, insert “the Director’s Office, Department of Management, State Capitol Room 13, 1007 East Grand Avenue, Des Moines, Iowa 50319-0015”. In lieu of “(designate agency)”, insert “department”. In lieu of “(AGENCY NAME)”, the heading on the petition form should read:

BEFORE THE DEPARTMENT OF MANAGEMENT

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.4(17A) Briefs. In lieu of “(designate agency)”, insert “department”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.5(17A) Inquiries. In lieu of “(designate official by full title and address)”, insert “the Director, Department of Management, State Capitol Room 13, 1007 East Grand Avenue, Des Moines, Iowa 50319-0015”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.6(17A) Service and filing of petitions and other papers.

6.6(2) In lieu of “(specify office and address)”, insert “the Director’s Office, Department of Management, State Capitol Room 13, 1007 East Grand Avenue, Des Moines, Iowa 50319-0015”. In lieu of “(agency name)”, insert “department”.

6.6(3) In lieu of “(uniform rule on contested cases X.12(17A))”, insert “rule 481—10.12(17A))”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.7(17A) Consideration. In lieu of “(designate agency)”, insert “department”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.8(17A) Action on petition.

6.8(1) In lieu of “(designate agency head)”, insert “director”.

6.8(2) In lieu of “(contested case uniform rule X.2(17A))”, insert “rule 481—10.1(10A))”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.9(17A) Refusal to issue order.

6.9(1) In lieu of “(designate agency)”, insert “department”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

541—6.12(17A) Effect of a declaratory order. In lieu of “(designate agency)”, insert “department”.

[ARC 7496C, IAB 1/10/24, effective 2/14/24]

These rules are intended to implement Iowa Code section 17A.9.

[Filed 10/1/87, Notice 5/20/87—published 10/21/87, effective 11/25/87]

[Filed 4/30/99, Notice 3/24/99—published 5/19/99, effective 7/1/99]

[Filed ARC 1371C (Notice ARC 1124C, IAB 10/16/13), IAB 3/19/14, effective 4/23/14]

[Filed ARC 7496C (Notice ARC 7115C, IAB 11/15/23), IAB 1/10/24, effective 2/14/24]