

**61—11.8(17A) Small business regulatory impact.**

**11.8(1) *Registration.*** Small businesses as defined in Iowa Code section 17A.4A, and organizations representing at least 25 such small businesses may register with the consumer credit code administrator to receive notice of proposed consumer credit code rules that may have an impact on small business and to seek qualification to request a regulatory flexibility analysis under section 17A.4A. The request for registration shall be provided in writing to: The Administrator of the Iowa Consumer Credit Code, Consumer Protection Division, Department of Justice, Hoover State Office Building, Des Moines, Iowa 50319. Entities may alternatively register with the deputy attorney general for administration if registration is desired for all departmental rules.

The request shall include the following information:

*a.* The name of the small business or organization requesting registration, its address and telephone number and an individual or individuals to contact regarding the request.

*b.* A certification that the small business meets the definition of small businesses under Iowa Code section 17A.4A or, in the case of an organization which is also seeking qualification to request a regulatory flexibility analysis, that it represents at least 25 entities meeting the definition of a small business under that section. An organization seeking to qualify to request a regulatory flexibility analysis shall provide the name, address and telephone number of at least 25 qualifying members.

*c.* A statement that the small business or organization seeks registration for the purpose of seeking notification of proposed consumer credit code rules that may have an impact on small business and a statement whether it also seeks qualification to request a regulatory flexibility analysis under Iowa Code section 17A.4A.

The consumer credit code administrator may request additional information to establish that the business or organization qualifies under Iowa Code section 17A.4A either at the time the entity files the request for registration or at the time it files a request for a regulatory flexibility analysis.

**11.8(2) *Consideration of impact on small business.*** The attorney general shall determine whether a proposed rule may have an impact on small business. If so, the notice of intended action shall so state and the attorney general shall consider the factors listed in Iowa Code section 17A.4A for reducing the impact of the proposed rule on small businesses.

**11.8(3) *Requests for regulatory flexibility analysis.*** The consumer credit code administrator will prepare a regulatory flexibility analysis if a written request is received by the consumer credit code administrator within 20 days after published notice of proposed rule adoption from the administrative rules review committee, the governor, a political subdivision, at least 25 persons who qualify as a small business under Iowa Code section 17A.4A, or an organization of small businesses, representing at least 25 persons, which is registered with the consumer credit code administrator under subrule 11.8(1). The request shall specify for which portions of a proposed rule the analysis is requested and shall provide any information, data or arguments available to the requester which would be relevant to the requested analysis.

**11.8(4) *Regulatory flexibility analysis.*** The analysis shall be prepared and a summary published in the Iowa administrative bulletin 20 days prior to adoption of the proposed consumer credit code rule. The summary shall provide notice of a time and place for oral presentation on the analysis and of any requirements for written submissions and shall state where persons may obtain a full text of the analysis at cost of reproduction. The consumer credit code administrator may without further notice revise the analysis in response to comments, or summarize the comments, and append these to the analysis.

The attorney general shall consider all methods suggested in the analysis and in submitted comments in determining whether to revise the proposed rule to reduce the impact on small business as provided in Iowa Code section 17A.4A.