

741—2.4(182) Declaratory rulings. On petition by an interested party who is aggrieved or adversely affected by the question contained in the petition, the board may issue a declaratory ruling with respect to the interpretation or applicability of any statutory provision, rule, or other written statement of the law or policy, decision, or order of the board.

2.4(1) Petition shall be titled “PETITION FOR DECLARATORY RULING” and shall include the name and address of all petitioners. The body of the petition must state the precise factual situation involved, the exact question to which an answer is desired, and the exact words, passages, sentences, or paragraphs which are the subject of inquiry.

2.4(2) The petition shall be filed by mailing it to the board at Wallace State Office Building, Des Moines, Iowa 50319.

2.4(3) The board will refuse to issue a declaratory ruling if the petition does not state with enough specificity the factual situation or the questions presented; if the issuance of the ruling would not be in the best interest of the public; or for any other reason it deems just and proper.

2.4(4) The board shall issue a ruling or dismiss the petition within 60 days following receipt of the requested information. If the requested information is not provided within 30 days of receipt of the request, the petitioner will be deemed to have withdrawn the petition.

This rule is intended to implement Iowa Code section 17A.9.