

PART A: THE PROCESS

Introduction

This part of the handbook describes administrative rules, including how they relate to Iowa law and where and how they are published, and addresses the process of rule making carried out in accordance with Iowa Code chapter 17A. For more in-depth information about the rule-making process, see the [Legislative Guide on Rulemaking](#).

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Relationship Between the Legislative and Rule-Making Processes

The purpose of rule making is to implement, or carry out, the laws of the [General Assembly](#). The General Assembly sets broad policy requirements by passing laws and delegating authority to agencies

to write and adopt more detailed regulations relating to those laws. Those regulations, which agencies create through the rule-making process, are called administrative rules.

Iowa's laws are enacted in bills and later signed into law and published in the [Iowa Code](#). The administrative rules implementing those laws are written and adopted by Iowa's state agencies and published in the [Iowa Administrative Code \(IAC\)](#). The IAC often needs to be updated to effectively implement or administer the laws. Those updates are drafted by the agency and published in [Iowa Administrative Bulletin \(IAB\)](#) to allow for public review and input before they are adopted and incorporated into the published IAC.

Example scenario: The General Assembly passes a bill that revises procedures relating to satellite voting stations. The bill is then signed into law by the Governor. The bill amends sections of the existing Iowa Code in order to create this new law. As a result, the Iowa Administrative Code also has to be amended to include administrative rules adopted by the Secretary of State in order to implement this law. The adopted administrative rules prescribe how the law will be implemented by county commissioners of elections.

Overview of Administrative Rules

Administrative rules (also called "rules") are the regulations or policies of an agency of the Executive Branch.

Some purposes of rules include the following:

- Implement or interpret law (primarily the Iowa Code).
- Prescribe policy.
- Describe the organization of the agency.
- Set out agency practices or procedures.

Note: In this handbook, references to a "rule" can also mean more than one rule, a part of a rule, or an [amendment](#) to a rule or part of a rule.

Overview of the Iowa Administrative Code and Iowa Administrative Bulletin

Rules are published in the [Iowa Administrative Code \(IAC\)](#), the online composite of all rules adopted by Iowa's 100-plus executive branch agencies. The IAC is updated biweekly. In addition to the current IAC, each previous biweekly version is available online, arranged in date order from most recent to oldest.

Rules within the IAC are organized according to the [agency identification \(ID\) number](#) assigned to each agency. Within each agency ID number, the rules are further organized into chapters and preceded by a table of contents called the "analysis." Click [here](#) for the current list of agencies that have rules in the IAC.

Each time an agency proposes or adopts changes to its rules in the IAC, the changes are published as a rule-making document in the [Iowa Administrative Bulletin \(IAB\)](#), the biweekly publication providing notice to the public of the proposed and adopted changes to rules.

Agencies may submit a rule-making document for publication in the IAB to do any of the following or a combination thereof:

- Amend an existing rule.

- Rescind or replace an existing rule.
- Add a new rule.

Agencies submit the following types of rule-making documents for publication in the IAB:

- [Notice of Intended Action](#)
- [Amended Notice of Intended Action](#)
- [Notice of Termination](#)
- [Adopted and Filed](#)
- [Adopted and Filed Emergency After Notice](#)
- [Adopted and Filed Emergency](#)

Each rule-making document published in the IAB is identifiable by [ARC number](#), organized by category (i.e., Notices, Filed Emergency, or Filed), and arranged under the agency's name.

Agencies may submit non-rule-making documents, such as usury rate and public funds interest rate notices, required by statute to be published in the IAB and may submit other documents approved for publication in the IAB by the [Administrative Rules Review Committee](#).

Agencies may submit editorial change documents to make nonsubstantive changes, such as a change of address, to their rules without having to publish a rule-making document in the IAB or complete the rule-making process. For more details on editorial change documents, see [Part B](#) of this handbook.

Purposes of the Rule-Making Process

The rule-making process serves four basic purposes:

- Ensuring agencies provide notice to the public of the agencies' intent to adopt rules, including by providing the proposed text of the rules.
- Ensuring the public has an opportunity to offer comments on the proposed rules.
- Providing a limited opportunity for both the Governor and the General Assembly to exercise oversight over the rule-making process.
- Using a publication process to widely distribute the adopted rules and to provide for their [codification](#) in the Iowa Administrative Code.

Procedures for Developing Rules Under the Rule-Making Process

Iowa Code chapter [17A](#), the Iowa Administrative Procedure Act (IAPA), defines the procedures agencies must follow for proposing and adopting administrative rules. Additional details about those procedures are set out in the [Agency Procedure for Rule Making chapter of the Uniform Rules on Agency Procedure](#), which agencies have generally adopted.

Agencies have the authority to propose and adopt the rules they determine are the most effective in implementing state law. At the same time, the rule-making procedures in the IAPA ensure that agency decision making is subject to public scrutiny and that agencies give full and fair consideration to any public comments. However, the rule-making procedures do not provide the public with the power to reject the agency's rule making.

The entire rule-making process takes a minimum of 108 days to complete, but generally takes approximately six months. The process involves two main procedures:

- Providing public notice and opportunity for comment.
- Adoption, publication, and distribution of the final rules.

The notice process in the first bullet above provides the public with an opportunity to comment on the proposed rules, which are published in the Iowa Administrative Bulletin in a rule-making document known as a Notice of Intended Action.

When a rule making is published as a Notice of Intended Action, anyone may offer comments to the agency on that proposed rule making. The agency proposing the rule making also has the option to provide a public hearing on the rule making. The agency becomes required to hold a hearing if the agency receives a request from the Administrative Rules Review Committee, 25 or more people, a group representing 25 or more people, another agency, or a governmental subdivision.

The Notice period is used by the agency to review and consider any public comments received about the Notice of Intended Action and to prepare the rule making in its final form for adoption. The final, adopted form of the rule making is published in a subsequent Iowa Administrative Bulletin as an Adopted and Filed rule-making document.

As part of the adoption process, an agency may change the language of the rule making from the language proposed in the Notice of Intended Action, based on feedback from the public or for other reasons, if the changes are within the scope of and are a logical outgrowth of the Notice of Intended Action.

Following a rule making's adoption by an agency (or the associated entity with rule-making authority), the Adopted and Filed rule making is then published in the Iowa Administrative Bulletin, and the rules in the Adopted and Filed rule making are published in the Iowa Administrative Code.

Rules become effective 35 days after their publication in the Iowa Administrative Code or at a later date selected by the agency.

For more information about the time frames for each of the steps in the rule-making process, see the "Flowchart for Rule-Making Process" and "Timeline for Rule Making" below.

Rule-Making Document Submission and Publication Process

Agencies submit their rule-making documents to the Legislative Services Agency (LSA) electronically through a system called the Rules Management System (called RMS for short). Rule-making documents are reviewed by the [Administrative Rules Coordinator \(ARC\)](#) and then forwarded to the [Administrative Code Editor \(ACE\)](#) and LSA's Publications Editing Office (PEO) for publication in the Iowa Administrative Bulletin (IAB). PEO accepts the forwarded documents and prepares them for publication.

The ACE and PEO are responsible for publishing the IAB and supplements to the Iowa Administrative Code (IAC) every two weeks. As part of the two-week publication cycle, the editors in PEO review each rule-making document submitted for publication and provide feedback to the agency on style, form, and other matters as needed before the document is published in the IAB. Editors often email the agency's contact about the rule-making document and include a PDF or Word version of the document containing questions and potential edits for review by the agency, which retains the responsibility and decision-making authority for the document's content. After editing is complete, editors send a final version of the rule-making document and a comparison document to the agency for final approval. During the

publication cycle, it is important that the agency's contact or a secondary contact be available to respond to questions and emails and to review and sign off on the document before its publication.

At the same time rule-making documents are prepared for publication in the IAB, the rules and amendments of adopted rule makings (e.g., Adopted and Filed) are prepared by editors for incorporation into the IAC. During this process, editors ensure that the rules and amendments are properly organized and engrossed in the IAC. Editors add a [rule history](#) at the end of each amended or adopted rule in the IAC and a [chapter history](#) line at the end of the chapter. Each affected chapter is then included in the IAC Supplement, and the amendments and rules are officially published in the IAC.

Review of Proposed and Adopted Rules

Both the Governor and the General Assembly review agency rule making on an ongoing basis. The Administrative Rules Review Committee (ARRC) meets monthly to review, on behalf of the General Assembly, all proposed and adopted rules from the most recent issues of the Iowa Administrative Bulletin (IAB).

During the ARRC's review, ARRC members may question agency personnel about the rule making. The Governor's Administrative Rules Coordinator (ARC) also sits on the committee as an ex officio, nonvoting member. The public can attend these meetings and offer oral or written comments to the ARRC on proposed or adopted rules.

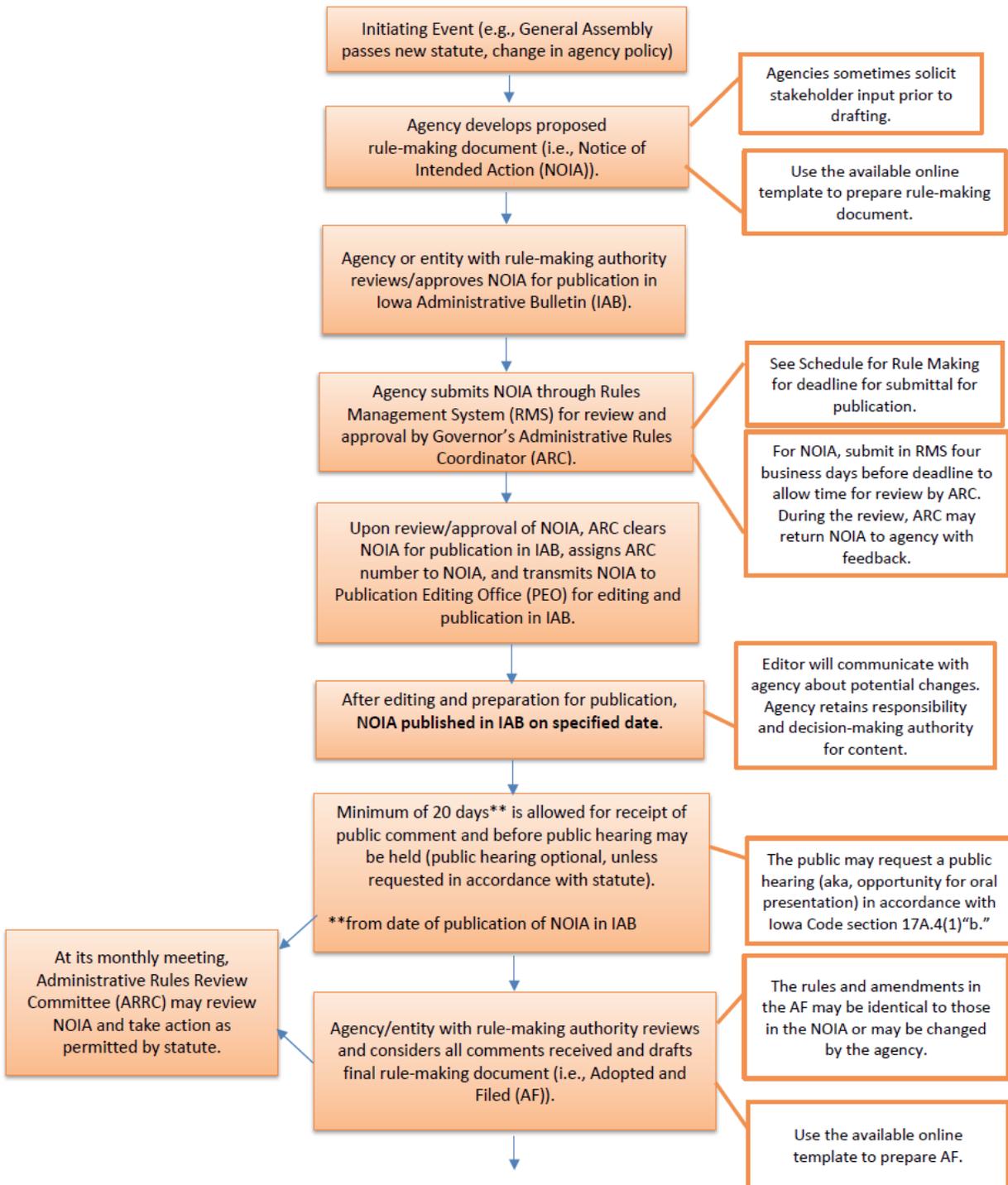
The ARRC, Governor, or Attorney General can object to any rule. An objection is a written finding that the ARRC, Governor, or Attorney General has determined a rule to be unlawful in some respect. If the rule is later challenged in court, the [objection](#) requires the agency to prove the legal validity of its rule. The ARRC can also [delay](#) the effective date of an adopted rule pending additional review by the General Assembly. The ARRC has various other oversight powers relating to rule making as well, including the power to authorize emergency rule making.

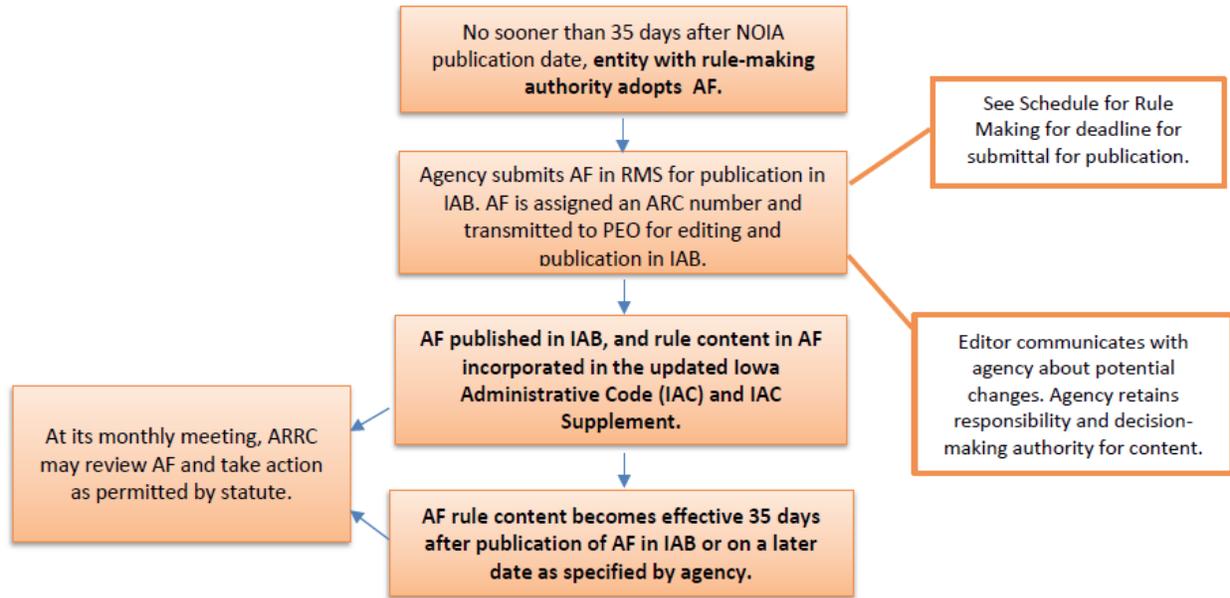
The ARRC, the ARC, at least 25 small-business persons, or an organization representing 25 small-business persons can request that an agency issue a regulatory analysis of a noticed rule within 32 days of the rule's publication in the IAB. A regulatory analysis is a description of certain effects a proposed rule is expected to have on regulated entities and the State. The periods for submitting written comments to the agency on the proposed rule and for requesting and holding a public hearing are extended until 20 days after a concise summary of the regulatory analysis is published in the IAB.

The ARC preclears all noticed rules before they are published in the IAB. The Governor can rescind any rule up to 70 days after it has become effective. The General Assembly can nullify any administrative rule by a joint resolution approved by the two chambers.

Flowchart for Rule-Making Process

**Iowa's Rule-Making Process (in accordance with Iowa Code chapter 17A)*
 from Notice of Intended Action to rule adoption and effective date**





*An abbreviated process (i.e., emergency rule-making process) may be permitted as follows:

1. As provided in Iowa Code section 17A.4(3), if the statute so provides or with approval of ARRC, notice and public participation may be eliminated if they are unnecessary, impractical, or contrary to the public interest.
2. As provided in Iowa Code section 17A.5(2)“b,” the 35-day postadoption waiting period before rule content may become effective may be eliminated if the statute so provides, the rule confers a benefit or removes a restriction, or there is imminent peril to the public health, safety, or welfare.

Determining the Timeline for Your Rule Making

The 108-day *minimum* time period for the regular rule-making process includes:

- A 19-day period between when the Notice of Intended Action is submitted in the Rules Management System (RMS) and when it is published in the Iowa Administrative Bulletin (IAB).
- A 35-day postpublication period after which the proposed rule making can be adopted.
- A second 19-day period between when the Adopted and Filed rule-making document is submitted in RMS and when it is published in the IAB and the adopted rules are published in the Iowa Administrative Code (IAC).
- A second 35-day postpublication period after which the adopted rules can become effective.

Submission deadlines and dates for rule making appear on the Schedule for Rule Making (available in the Rules Management System and in the [Rule Writer Tool Kit](#) on the Iowa Legislature website; also published in every Iowa Administrative Bulletin). Click [here](#) for a guide to interpreting the Schedule for Rule Making and [here](#) for an example.

Alternatively, agencies that can adhere exactly to the publication timeline for a rule making may use the [Rule-Making Calculator](#) to generate the deadlines and other dates related to the rule making. See also the “Filing Deadlines” and “Important Dates and Time Frames” sections below.

Filing Deadlines

The filing deadline is the deadline to submit a rule making in order for it to be published in a specific issue of the Iowa Administrative Bulletin. Rule-making documents are not accepted after 12 noon on the filing deadline unless prior approval has been received from the [Administrative Rules Coordinator](#) and [Administrative Code Editor](#).

If the filing deadline falls on a legal holiday, the filing deadline is typically adjusted or submissions made on the following Monday may be accepted.

To allow the Administrative Rules Coordinator time to review a Notice of Intended Action prior to the filing deadline, submit the Notice of Intended Action in the Rules Management System at least four business days in advance of the deadline.

Important Dates and Time Frames

Certain dates and time frames are important to the rule-making process. The key date upon which most other dates and time frames are based is the date on which the Notice of Intended Action is published in the Iowa Administrative Bulletin.

Note that when counting days, the first day of the date range is not counted, but the last day of the date range is counted. Also note that major dates are set out in the Schedule for Rule Making in the [Rule Writer Tool Kit](#) on the Iowa Legislature website.

The following aspects of rule making are tied to specific time frames (based on the publication date of the Notice in the Iowa Administrative Bulletin):

- **Public hearings and written comments: 20 days.**
 - Before holding a public hearing, an agency must allow at least 20 days from the day the time and location of the hearing is published in a Notice of Intended Action. An agency may state in the Notice of Intended Action that it will hold a public hearing on a particular date only if a member of the public requests that the hearing be held. If an agency does this, it must allow members of the public at least 20 days in which to make the request.
 - An agency must similarly allow the public at least 20 days in which to submit comments.
- **Adoption of a rule making: 35 days.**
 - An agency must allow at least 35 days after the publication of the Notice of Intended Action before adopting a rule making.
 - An agency adopts a rule making when it votes to approve the rule making or when the person with rule-making authority approves the rule-making document.
 - The adopted rule making must then be filed in the Rules Management System for publication in the Iowa Administrative Bulletin.

- **Adopted and Filed effective date: 35 days after publication of Adopted and Filed rule making.**
 - An Adopted and Filed rule making can become effective no sooner than 35 days after publication of the Adopted and Filed in the Iowa Administrative Bulletin. The agency may also choose a later effective date.
 - Exception: In the case of an Adopted and Filed Emergency or Adopted and Filed Emergency After Notice rule making, the rule making may become effective upon filing in the Rules Management System and upon acceptance by the Administrative Rules Coordinator (or on a later date specified by the agency).

- **Expiration of a Notice of Intended Action: 180 days.**
 - An agency has 180 days after the publication of a Notice of Intended Action or after the last public hearing, whichever is later, within which to adopt a rule making.
 - If the agency fails to adopt a proposed rule making within the maximum 180-day time frame, the rule making expires. If the agency seeks to continue with adoption after expiration of the Notice, the rule-making process must begin again.
 - **Note:** An agency may also choose to terminate a Notice at any time by submitting a Notice of Termination.

- **Amendment of a Notice of Intended Action: Begins new 180-day period.**
 - Publishing an Amended Notice of Intended Action starts a new 180-day period before the rule making expires.
 - The dates for public comment and adoption of an Amended Notice of Intended Action rule making are the same as if the Amended Notice were an initial Notice of Intended Action.

Procedures for Emergency Rule Making

Emergency rule-making procedures are a special process used in atypical situations in which a rule making must be implemented faster than the regular rule-making process would allow. Specific authorization by statute or the [Administrative Rules Review Committee](#) is required for emergency rule making.

Under some circumstances, an emergency rule making can take effect prior to any public notice. However, there are still procedural safeguards to allow for oversight of and public input on emergency rule makings.

Emergency rule-making procedures can shorten the rule-making process to a matter of days. The procedures allow an agency to:

- Adopt a rule making immediately, without the waiting period normally required for a Notice of Intended Action.
- Have a rule making become effective after it has been submitted in the Rules Management System and accepted by the [Administrative Rules Coordinator](#).

Two Procedures: Bypassing the Notice Stage and Bypassing the Final Stage

There are two separate procedures for emergency rule making, which can be combined:

- The notice and public comment stage of the rule-making process can be skipped and the rule making adopted immediately (see Iowa Code section [17A.4\(3\)](#)). This procedure can only be used with specific authorization by statute or from the Administrative Rules Review Committee. This procedure is very rarely used without also using the procedure described below.
- The final stage of the rule-making process, i.e., the waiting period between when the rule making is adopted and when it becomes effective, can be skipped and the adopted rule making made effective upon filing in the Rule Making System and acceptance by the Administrative Rules Coordinator (see Iowa Code section [17A.5\(2\)“b”](#)). In accordance with the Iowa Code, an agency can use this procedure at its discretion if the agency finds any of the following:
 - A statute permits emergency rule making. (Click [here](#) for examples of this type of statutory language.)
 - The rule making confers a benefit or removes a restriction on the public or some members of the public.
 - An earlier effective date is necessary because of danger to the public health, safety, or welfare.

To use this procedure, the agency must include in the preamble a citation to the Iowa Code provision that justifies the waiver of the normal effective date (i.e., Iowa Code section [17A.5\(2\)“b”\(1\)\(a\), \(b\), or \(c\)](#)) and an explanation of how the provision applies to the rule making.

Example:

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section [17A.5\(2\)“b”\(1\)\(a\)](#) and (b), the Board finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on July 8, 2021, because 2021 Iowa Acts, Senate File 532, includes language for emergency rule making, which allows the SPR to be established in a timely manner to accommodate the start of the academic year. There is a significant benefit to the public, because the earlier effective date will allow applicants to obtain the SPR prior to the start of the academic year so that essential mental health services can be provided to Iowa students immediately.

The above example cites two Iowa Code provisions justifying the waiver. It also includes an explanation of how both provisions apply to the rule making and justify the waiver.

The second procedure is sometimes used on its own without the first procedure to partially shorten the rule-making process while still allowing for public comment after the Notice of Intended Action. The rule making document used in this scenario is the Adopted and Filed Emergency After Notice. When both procedures are used for emergency rule making, an Adopted and Filed Emergency rule-making document is used.

Double-Barrel Rule Making

Emergency rule making is nearly always done in two parts, with the simultaneous submission of two separate but related rule-making documents:

- A rule making submitted as a regular Notice of Intended Action.
- An Adopted and Filed Emergency rule making.

This is commonly referred to as a “double-barrel” rule making. Double-barrel rule making allows the Adopted and Filed Emergency rule making to go into effect quickly while still allowing for public input and possible revision later through publication of a Notice of Intended Action. The Notice of Intended Action incorporates the rules in the Adopted and Filed Emergency rule making by reference and begins the process of adopting those rules under the regular rule-making process. The preamble of each document contains a reference to the other document so that the public is aware of both the emergency adoption and the opportunity to provide comment.

Five-Year Review of Rules

Iowa Code section [17A.7\(2\)](#) requires that each agency conduct an ongoing and comprehensive review of all of its rules over each five-year period. The first five-year review resulted in rule making by many agencies to update or eliminate rules identified in the review. The second five-year review period commenced July 1, 2017.

The goal of the five-year review is the identification and elimination of agency rules that are outdated, redundant, or inconsistent or incompatible with statute, the agency’s own rules, or the rules of other agencies. After each five-year review is complete, the agency is required to submit a summary of the results to the [Administrative Rules Coordinator](#) and [Administrative Rules Review Committee](#).

Rules Tracker

[This tool](#) on the Iowa Legislature website tracks the progress of rule makings from Notice of Intended Action to adoption. The Rules Tracker includes public comment deadlines, public hearing dates, Administrative Rules Review Committee (ARRC) meeting dates and actions taken, published rule-making documents, and effective dates.

NOTE: Rule-making documents published prior to July 2, 2008, are not included in the Rules Tracker.

Rules Management System (RMS)

Overview of RMS

The Rules Management System (RMS) is the electronic filing system for administrative rules. RMS is managed by the Legislative Services Agency (LSA) and accessible through the Legislative Portal on the Iowa Legislature website. A user account is required for access. After obtaining agency permission to use RMS, agency personnel may contact the LSA Front Office at 515.281.3566 to set up access to RMS. The front office also assists with changing passwords.

Uses

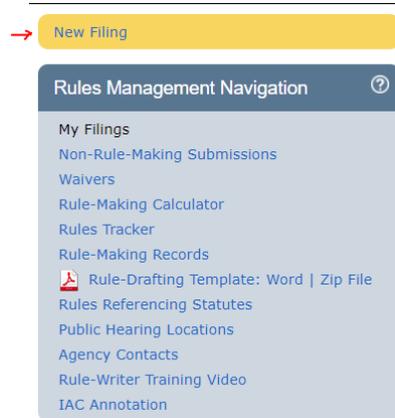
Agencies use RMS primarily to submit filings of rule-making documents for publication in the Iowa Administrative Bulletin and Iowa Administrative Code. RMS is also the tool agencies use to submit non-rule-making submissions and editorial change documents (also known as 2B.13 documents, after Iowa

Code section [2B.13](#)), report waiver and fiscal information, track rule filings, create and address rule annotations, and manage rule-making document contact information.

How to Submit a Rule Making

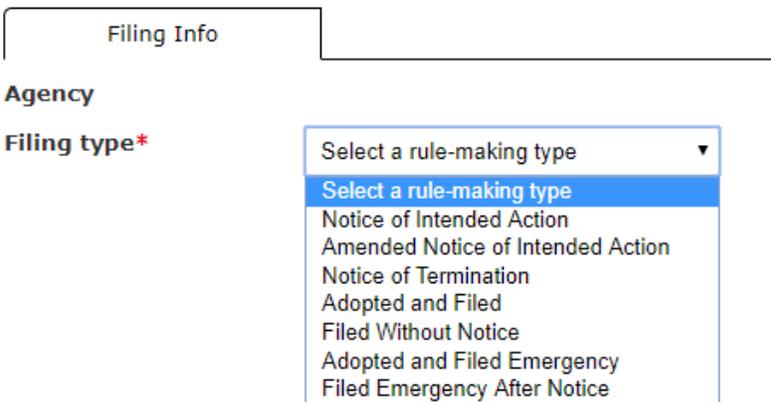
Follow the steps below to fill in the filing form and submit a rule making in RMS.

1. While on the “My Filings” page in RMS, click on “New Filing.” (The word “filing” is used synonymously with “submission” or “rule making” in RMS.)



“Filing Info” Tab

2. Begin with the “Filing Info” tab. Select the dropdown menu next to “Filing Type” to find the type of rule making you want to submit, and select that rule-making type. (For more information about the types of rule makings, see “What are the different types of rule-making documents?” in the “Basics” section of the [Administrative Rules FAQ](#).) The Notice of Intended Action is the type used for most of this example. For information related to the other most common type, the Adopted and Filed, see **Paragraph 21** below.



3. To submit a Notice, select “Notice of Intended Action” in the “Filing Type” dropdown menu shown in **Paragraph 2**. The form for filing a Notice will generate. Fill in all the details of your rule making.

NOTE: The fields with a red asterisk are required fields.

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If the Notice is part of a “double barrel,” meaning that the Notice is a companion to an Adopted and Filed Emergency rule making, check the box under the “Filing type” menu so that the Notice and the related Adopted and Filed Emergency rule making will be linked together in RMS.

4. The “Rule Title” field is for your own use. Name the submission something that will be memorable and useful to you (e.g., the number of the amended chapter or the subject of the rule making).

NOTE: The submission cannot be saved until the “Rule Title” field is filled in. After the field is filled in, you may save the submission at any time.

Filing Info	Fiscal Impact	Rule Changes & Compilation	?
Agency	Labor Services Division[875]		
Filing type*	Notice of Intended Action <input type="button" value="v"/>		
	<input type="checkbox"/> Check here if this Notice is a companion rule-making to an Adopted and Filed Emergency rule-making (i.e., a "double barrel" Notice).		
Rule Title*	<input type="text"/> This information will be used to identify this filing prior to ARC# assignment.		
Shortened name of agency or rule-making body	<input type="text"/> <i>e.g., Board, Department, Commission</i>		

5. Use the “Shortened name of agency or rule-making body” field to type in the name of the entity that will be cited throughout the preamble (e.g., filling in “Commission” will produce phrases like “The Commission hereby adopts,” “petition the Commission for a waiver,” and “contact the Commission and advise of specific needs”). If this text box is not filled in, you will need to modify the language in the waivers and public hearings boilerplate to include the entity’s name.

6. The “Contact Person” dropdown menu will allow you to choose from contact persons who are marked active in the “Agency Contacts” section of RMS. For information on how to change the status of agency contacts, see “Changing Rule-Making Contact Information in RMS” below.

Contact Person*	<input type="text" value="Select"/>
	<i>To update information for or to add a contact person, use Agency Contacts in Rules Management Navigation.</i>
	 Click to add secondary contact person/phone/email(optional)

7. Two publication dates are given as options. If you know when the filing will be published, you may select either date. If the filing is only an initial draft and does not have an intended publication date, select “Draft only.”

Publication date*

Designee with rule-making authority

8. The “Designee with rule-making authority” is the official, agency, or multimember body (such as a board or commission) given the authority in statute to adopt rules.

Designee with rule-making authority

9. In the fields for “Statutory delegation of rule-making authority” and “Statute this rule is intended to implement,” a range of Iowa Code citations or Iowa Acts citations may be entered.

NOTE: The text entered in this field appears verbatim in the generated preamble of the rule making. For this reason, spell out the names of legislation in full. For example, cite SF 2147 as “2018 Iowa Acts, Senate File 2417.”

For fields requiring statutory references, series or ranges of references may be added. To add a series of references, include a comma after each reference. For ranges, include “-” or “to” between the first and last values in the range. For Iowa Acts references, include the year, Senate or House File or chapter number, and any applicable section(s). To delete a reference, hover over the reference and click the delete icon.

Statutory delegation of rule-making authority* Click the + button to save each reference.

Statute this rule is intended to implement* Click the + button to

10. “Statutory delegation of rule-making authority” means one or more sections of the Iowa Code or Acts that give the agency the authority to adopt rules. The citations cited should be as specific as possible.

For more information about rule-making authority, see “Legal Authority for Rule Making” in [Part B](#) of this handbook.

11. “Statute this rule is intended to implement” means one or more chapters or sections of the Iowa Code or Acts, or other legal authority if applicable, that the rules or amendments in the rule making are intended to implement.

For more information about rule implementation of statute, see “State or Federal Laws Implemented” in [Part B](#) of this handbook.

12. In the “Chapter(s) affected” section, click the blue plus sign next to “Chapter(s) affected.” This applies to existing chapters of rules affected by the rule making. Select the correct rule-making action for *each* affected chapter.

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If you choose the rule-making action “Adopt” or “Rescind and adopt new,” type in the title of the new chapter at the bottom of the popup window (see highlighted areas below).

Chapter(s) affected* + Click to select or add

Select the chapters affected by this rule making✕

Rule-making action: Amend **Adopt** Rescind **Rescind and adopt new**

<p>Available</p> <div style="border: 1px solid #ccc; padding: 5px; min-height: 100px;"><p>Chapter 1, Definitions</p><p>Chapter 2, Organization And Administ</p><p>Chapter 3, Certification Of Cpas</p><p>Chapter 4, Licensure Of Lpas</p><p>Chapter 5, Licensure Status And Rene</p><p>Chapter 6, Attest And Compilation Ser</p><p>Chapter 7, Certified Public Accountin</p><p>Chapter 8, Licensed Public Accountin</p><p>Chapter 9, Reciprocity And Substantia</p><p>Chapter 10, Continuing Education</p></div> <p style="font-size: small; color: red;">Hold Ctrl key and click to select multiple chapters</p>	<p>Selected</p> <div style="border: 1px solid #ccc; height: 100px; width: 100%;"></div>
--	--

New Chapter

Chapter 99,

Click -> button to add new chapter

13. The following warning may appear after affected chapters are selected. This means that certain Iowa Code or Iowa Acts references may be either invalid (e.g., a chapter has been repealed) or outdated. If you see this warning, check the Iowa Code or Acts references for repealed or out-of-date provisions.

⚠ Selected chapter(s) contain invalid references. Click to view the report of references.

14. In the field labeled “Purpose and summary of rule making,” type or paste in a description of the amendment(s) and any other relevant information.

NOTE: The text entered in this field appears verbatim in the generated preamble of the rule making. Use complete sentences, entering the text as you want it to appear in the rule making.

Purpose and summary of rule making*

[Icons] **B** *I* U | [List Icons] | [Link Icon] | [List Icons]

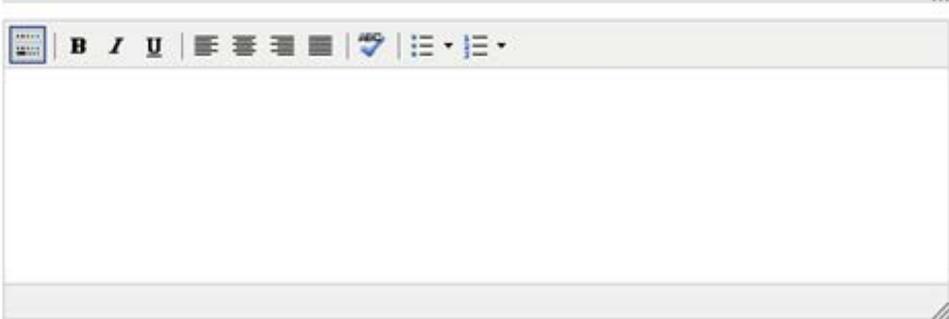
For more information about what to include, see “Purpose and Summary” in [Part B](#) of this handbook.

RULE WRITER HANDBOOK

PART A: THE PROCESS

15. The content you supply in the field labeled “Please describe who this rule will positively or adversely impact” is only used by the Governor’s office. The text entered in this field does not appear in the preamble of the rule making. The same is true of the “Reference ARC#” field. That field is for the ARC number of any related rule making.

Please describe who this rule will positively or adversely impact*



Reference ARC#

16. When filling in “Public comment deadline,” be aware that the deadline must be at least 20 days after the publication of the Notice of Intended Action. A dropdown calendar will appear when you click the text box. Select the desired deadline on the calendar.

Public comment deadline*



August 2021						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

17. The “Public comment contact person” dropdown menu will allow you to choose from the contact persons who are marked active in the “Agency Contacts” section of RMS.

Public comment contact person*

Only contact persons with address information may be selected for this contact type. To update information for or to add a contact person, use Agency Contacts in Rules Management Navigation.

18. Your answer to the question “Is a public hearing scheduled?” will generate one of the following screens that include boilerplate language relating to a public hearing. That language, which you may modify as needed, will appear in the public hearing section of the preamble.

If you click “No,” the following screen will appear:

RULE WRITER HANDBOOK

PART A: THE PROCESS

Is a public hearing scheduled?* No Yes

Please provide a statement regarding the public hearing(s):*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)"b," an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Boilerplate text may be modified.

If you click "Yes," the following screen will appear:

The screenshot shows the form with the 'Yes' radio button selected. A callout box on the left states: "You may edit the boilerplate text inserted by default by typing in the field(s)." Two arrows point from this box to the text area and the "Click to add public hearing details" button. The text area contains the boilerplate text and a red box around the "Click to add public hearing details" button. Below the text area is another text area for special requirements, also with boilerplate text and a red box around the "Click to add public hearing details" button.

Public hearing location addresses are maintained in RMS.

Click the **Click to add public hearing details.** to enter meeting location, public hearing date, and start and end times.

The dialog box is titled "Add public hearing information" and contains the following fields and instructions:

- Meeting location***: A dropdown menu with "Select" as the current value. A red box highlights this field, and an arrow points to it from a callout box that says: "If a hearing location is NOT included in the list of saved locations for the agency, save the unfinished filing and then add the location in the Public Hearings Locations section. (See [Manage Public Hearings Location](#) section)".
- Public hearing date***: A date input field.
- Start Time***: A time input field with "9:00 AM" selected.
- End Time**: A time input field with "10:00 AM" selected.
- If Requested**: A checkbox that is currently unchecked.

At the bottom of the dialog are three buttons: "Add", "Save and Add", and "Cancel". Two callout boxes provide instructions for these buttons:

- "To add only one hearing, click **Add** to add and close the dialog."
- "To add multiple hearings, click **Save and Add**."

RULE WRITER HANDBOOK

PART A: THE PROCESS

Enter the information required for the public hearing. All fields are required except for the End Time field.

After entering the public hearing(s) information and clicking **Add**, you will see the public hearing information added to the filing. See example below:

The screenshot shows a form titled "Is a public hearing scheduled?*" with radio buttons for "No" and "Yes" (selected). Below is a text area with boilerplate text: "A public hearing at which persons may present their views orally or in writing will be held as follows:" and "Boilerplate text may be modified." A blue plus icon and "Click to add public hearing details." are present. A highlighted box contains "Date/Time: 11/27/2020 08:00 AM" and "Location: Professional Licensing Bureau Offices, 200 E. Grand Ave., Suite 350, Des Moines, Iowa", with a pencil icon and a red X icon. Below is another text area for "special requirements" with boilerplate text: "Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments," and "Boilerplate text may be modified."

Click the pencil icon  to edit the public hearing information previously entered.

Click the  to remove the public hearing from the filing.

NOTE: In any text field that includes a date, if you modify the text before selecting a date in the related date field, the text field will not be updated with the selected date so as not to override the modified text. You may either select the date before modifying the text field or manually input the desired date after modifying the text.

19. A “yes” or “no” answer to the question “Does this rule contain a waiver provision?” will generate the following boilerplate statement. The boilerplate can be edited or replaced.

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Revenue Department for a waiver of the discretionary provisions, if any.

Boilerplate text may be modified. Citation to agency's waiver rule or chapter may be included at agency discretion.

If using the boilerplate above, please add a citation to your agency’s waiver rule or chapter to the end of the boilerplate sentence (for example, add “, pursuant to rule 123—4.5(17A)” after “if any”.)

For more information about waivers, see the “Waivers” section of [Part B](#) of this handbook.

20. For the question “Is there an anticipated jobs impact?”, click “No” or “Yes.”

If you click “No,” a screen that includes boilerplate relating to jobs impact will appear. You may substitute a different statement for the boilerplate.

After analysis and review of this rule making, no impact on jobs has been found.

RULE WRITER HANDBOOK

PART A: THE PROCESS

If you click “Yes,” type or paste in a statement about the jobs impact. You may also upload a more detailed explanation for the Governor’s office to review. If you submit a more detailed explanation, it will be reviewed but not published in the rule making.

Is there an anticipated jobs impact?* No Yes

Please provide statement*

Upload jobs impact explanation (optional; not published or distributed)

For more information about what information is required, see the “Jobs Impact” section of [Part B](#) of this handbook.

“Filing Info” Tab for Adopted and Filed Rule Making

21. For an Adopted and Filed rule making, select that rule-making document type from the dropdown menu at the beginning of the “Filing Info” tab.

Enter the ARC number of the Notice of Intended Action related to your Adopted and Filed rule making.

Notice ARC#

Entering the ARC number of the Notice will populate most of the fields and questions in the “Filing Info” and “Fiscal Impact” tabs with the information you provided previously when you completed the Notice filing form.

You must also complete the following fields on the “Filing Info” tab that are specific to an Adopted and Filed rule making. (See [Part B](#) of this handbook for additional information about what is required for any of these fields.)

RULE WRITER HANDBOOK

PART A: THE PROCESS

Was public hearing held?*

No Yes

Was public comment received other than at the public hearing(s)?*

No Yes

Please provide description of comment received.*


No public comments were received.

Is this rule identical to that published under NOIA?*

No Yes

Please explain


No changes from the Notice have been made.

Date of adoption by rule-making authority*

Use Designee in "Adoption of Rule Making" statement in preamble

Effective date of rule*

The default date above is the earliest possible effective date for this rule making; use the calendar drop-down to specify a later date if preferred.

"Fiscal Impact" Tab

22. Next, click on the *"Fiscal Impact"* tab.

Select "Contact person" from the dropdown menu.

Then, under "Impact criteria," select the applicable fiscal impact amount. Underneath, enter the legislation/appropriation associated with the rule making (if applicable), provide an explanation as applicable, and upload supporting documentation if necessary.

NOTE: If there is no legislation or appropriation associated with the rule making, select the statute that governs your agency. Additionally note that if the last radio button is selected for Impact Criteria (circled below in red), the "Upload Explanation(s)" field will be required.

See the "Fiscal Impact" section in [Part B](#) of this handbook for more guidance on what type of information to provide in the Fiscal Impact fields.

RULE WRITER HANDBOOK

PART A: THE PROCESS

“Rule Changes & Compilation” Tab

23. Next, click on the “Rule Changes & Compilation” tab. Follow the instructions on the screen in order to generate the preamble of the rule-making document. You do not need to write the preamble yourself. The preamble is generated using the information you have provided in the “Filing Info” and “Fiscal Impact” tabs.

The body of the rule-making document is NOT automatically generated. You must write it yourself and upload it. To upload the body of the rule-making document, click the “Choose File” button next to the label “Upload Rule Changes.”

The screenshot below shows more detailed instructions for each part of the process.

24. After reviewing the preamble and uploading the body of your rule-making document, verify all information, check the box in the blue text box (circled in red above), and click “Submit Filing.” This submits the rule-making document.

The following message will appear, and you will receive an email confirming the submission.

Filing Submitted

Your filing has been submitted. Status and updates can be viewed under [My Filings](#).

Notices of Intended Action are reviewed by the Governor’s Office prior to routing to the Publications Editing Office (Admin Code) for publication in the Iowa Administrative Bulletin and Iowa Administrative Code.

All other rule makings are reviewed for style and form by the Publications Editing Office (Admin Code) prior to publication.

If the Governor’s Office or ACO provide or request feedback, you will receive an email, and the tracking information in My Filings will reflect the exchange.

[Click here to return to My Filings.](#)

RMS Filing Form Troubleshooting

“Submit for Filing” Box Cannot Be Checked

If RMS is not letting you check the “Submit for filing” box of the filing form, press “Save Unfinished Filing” and then “View Preamble PDF.”

Error Message

If one of the required fields on the form is not completed when you press the “Submit Filing” button, RMS will generate an error message (example below) above the filing tab that is missing the required information. Complete the required field, press “Save Unfinished Filing” and “View Preamble PDF,” check the “Submit for filing” box, and press “Submit filing.” You will not be able to submit the document until you correct all incomplete or erroneous fields.

SENATE/HOUSE | LEGISLATORS | LEGISLATION | COMMITTEES & SCHEDULES | IOWA LAW & RULES | LEGISLATIVE AGENCIES | PUBLICATIONS | CAPITOL TOURS & RESOURCES | LOBBYIST INFORMATION | ARCHIVE

The Iowa Legislature > Legislative Portal > Rules Management System > Agency

Date Range | Stats | Permanent Link

Rule impact is required for submission.

[Reset Filing Form](#)

Agency

Select a filing type and complete required fields (indicated with red asterisk). Responses to filing form fields will be used to generate the preamble to your rule-making document, which will be published in the Iowa Administrative Bulletin. Ensure your explanations are complete and responses are accurate. The generated preamble will be edited and formatted by LSA in preparation for publication.

Save an unfinished filing at any time, and return to the unfinished filing through My Filings in the Rules Management Navigation panel. Submit a completed filing from the final tab by viewing the generated preamble clicking the verification checkbox(es), and selecting Submit Filing.

Please direct questions or feedback about the generated preambles to Publications Editing Office (Admin Code) or LSAProjectTeam@legis.iowa.gov.

Filing Info | Fiscal Impact | Rule Changes & Compilation

If you continue to have difficulty submitting the filing, contact the LSA help desk at 515.281.6506 or helpdesk@legis.iowa.gov, or contact a PEO editor at 515.281.3355.

Changing Rule-Making Contact Information in RMS

You can update your agency’s contact information by clicking the link for “Agency Contacts” in the Rules Management Navigation panel in RMS.



Agency contact information is used to automatically generate the following information in rule-making filing forms and non-rule-making submissions:

- Contact Person
- Secondary Contact Person
- Public Comment Contact (contact information will appear in preamble of Notice of Intended Action)
- Fiscal Impact Contact

After clicking the link to enter the “Agency Contacts” field, click the “Edit” icon (shown on the far left in the screenshot below).



- Edit the contact information in the box that appears and click the “Save” button.

Edit agency contact information
✕

At minimum, first name, last name, email and phone should be supplied. Additional address information may also be provided.

Only missing information can be supplied when editing a contact. If you want to change existing information for a contact, create a new contact using the clone icon on the Agency Contacts page, then change information as desired.

First Name*

Last Name*

Email*

Show email in preamble

Phone*

Show phone in preamble

Fax

Show fax in preamble

For Public Comment Contact, address information is required.

Agency/Department

Building

Address Line1

Street address or P.O. Box

Address Line2

City

State Select ▾

Zip

Show address in preamble

NOTE

Grayed out fields cannot be edited.

Save
Cancel

Only missing information can be supplied when editing a contact. If you want to change existing information for a contact, create a new contact using the Clone icon described below. Then change the information as desired.

To create a **new** contact, click the link for “Add Contact” (the blue plus icon above the table) in the “Agency Contacts” field.

Status: Active All

+ Add Contact

Edit	Clone	Name	Email	Phone/Fax	Address	Status
			<input type="checkbox"/>	<input type="checkbox"/>		

Save the new information. If you need to edit a draft submission, return to the “My Filings” area to edit

RULE WRITER HANDBOOK

PART A: THE PROCESS

the submission. The newly added contact person will be available in the contact dropdown menu in the form.

In order to more quickly create a new contact, you can use the Clone process. Click the Clone icon to create a new contact based on information for an existing contact. This is a quick way to create a contact and edit information that cannot be edited in an existing record.

Add agency contact information

At minimum, first name, last name, email and phone should be supplied. Additional address information may also be provided.

First Name*

Last Name*

Email*

Show email in preamble

Phone*

Show phone in preamble

Fax

Show fax in preamble

For Public Comment Contact, address information is required.

Agency/Department

Building

Address Line1

Street address or P.O. Box

Address Line2

City

State

Zip

Show address in preamble

Information previously entered for the contact will be filled in.

All fields in this dialog can be edited.

If a contact person is not available in the dropdown menu or not available for selection in a submission form, save the unfinished submission and go to *"My Filings"* to check whether the contact person is in Active status. The Status filter above the table may be changed to show either Active or All contacts, as shown in the blue box in the screenshot below.

Agency Contacts

Agency contacts are used to populate the following information in rule-making filing forms and non-rule-making submissions:
Contact Person
Secondary Contact Person
Public Comment Contact
Fiscal Impact Contact

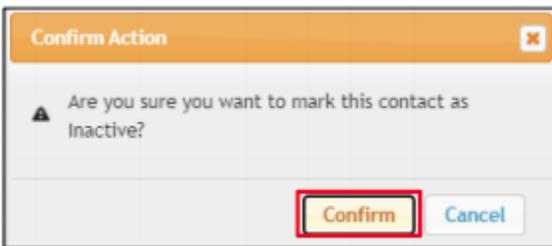
The following contacts have been used in this agency's previous rule-making filings. Active contacts will be available for selection in rule-making filing forms and non-rule-making submission forms. Inactive contacts will be omitted from selection options in forms. To mark a contact inactive, click the icon in the Status column. Check the check boxes to show email, phone and address in preamble. To fill in missing information, click the Edit icon in the first column. To edit the existing information, create a new contact using the Clone icon and update information as needed.

Status: Active All

+ Add Contact

Edit	Clone	Name	Email	Phone/Fax	Address	Status
		[REDACTED]	<input type="checkbox"/> [REDACTED]			
		[REDACTED]	<input type="checkbox"/> [REDACTED]	<input type="checkbox"/> [REDACTED] (Fax)	<input type="checkbox"/> [REDACTED] Des Moines, Iowa 50309	
		[REDACTED]	<input checked="" type="checkbox"/> [REDACTED]	<input type="checkbox"/> [REDACTED]	<input checked="" type="checkbox"/> [REDACTED] Des Moines, Iowa 50309	

To mark a contact as **inactive**, click the Status icon to the far right in the Agency Contacts field. A box will appear to confirm the choice to mark a contact as inactive. Mark a contact as inactive when the contact is no longer with the agency or is no longer working with rules.



Rule Annotations

The Rules Management System contains an annotations tool that agencies, the Administrative Code Editor, and Publications Editing Office editors may use to create, share, and resolve annotations to rules. Annotations may be informational or note corrections that may be added to rule-making documents or, in some cases, handled editorially. When preparing a rule making, agencies should review all the annotations for any chapters included in the rule making to see if any annotated issues are or may be resolved by the rule making.

The IAC Annotations Tool is located on the Rules Management Navigation panel.

Rules Management Navigation ?

- My Filings
- Non-Rule-Making Submissions
- Waivers
- Rule-Making Calculator
- Rules Tracker
- Rule-Making Records
-  Rule-Drafting Template: Word | Zip File
- Rules Referencing Statutes
- Public Hearing Locations
- Agency Contacts
- Rule-Writer Training Video
- IAC Annotation

Below is an example of annotations in RMS:

IAC Annotation

This report shows the list of IAC annotations

Chapters:

[+ Add Annotation](#)

Show Resolved agency-created annotations

Chapter Number	Rule Number	Annotation	Created By	Updated By	Status	Action
1		Test annotation 	tracy.george@iowadot.us 09/27/2021 11:00	tracy.george@iowadot.us 10/19/2021 10:39	In Progress	
1	4	Change "Web site" to "website" in rule 761--1.4(17A).	tvander 06/19/2020 14:52	tvander 07/26/2021 09:49	Created	
112	11(4)	Although a numbered list is not wrong beneath a lettered paragraph, consider changing the numbered lists in paragraph 112.11(4)"a" and 112.11(5)"a" to subparagraphs in keeping with style used elsewhere in Chapter 12 and with admin rule preferred hierarchy. No cross-references would be affected by the change.	tvander 06/19/2020 15:34	10/25/2021 11:14	Created	
115	1(2)	In subrule 115.1(2): 1.Change "Web site" to "website". 2. Update broken URL.	tvander 06/19/2020 14:59	tvander 06/19/2020 15:35	Created	
117	4(1)	Add "761--" before "117.6(306C)" in subrule 117.4(1). Item in Notice ARC 5859C, IAB 8/11/21, will, in effect, resolve this annotation by rescinding rule 761--117.4(306B,306C).	tvander 06/19/2020 15:42	tvander 07/26/2021 09:44	In Progress	

For more information about using the Annotations Tool and creating and addressing annotations, see the PDF documentation in RMS and the [Instructions for Using IAC Annotations](#) linked in each annotation.