



The Publication of Administrative Rules

Introduction

The publication and distribution of administrative rules requires the prompt publication and distribution of newly implemented language and the rescission of rescinded language on a bi-weekly cycle.

The Publication Process: Iowa Code §§17A.5(1) and 17A.6

These two sections ensure that newly adopted rules are promptly published and distributed on a statewide basis. These two provisions require that all rule additions, amendments or repealers be filed in a central repository {the Administrative Rules Coordinator} and that the Iowa administrative code web site is updated every two weeks. The notices of intended action for proposed rulemaking and notices of final adoption are published in the Iowa Administrative Bulletin (IAB). All adopted rules are codified in the Iowa Administrative Code (IAC). The IAC can be found at the legislative web site: <https://www.legis.iowa.gov/IowaLaw/AdminCode/agencyDocs.aspx>. The publication process begins when the rulemaking document is submitted by the agency to the Administrative Rules Coordinator (ARC). The ARC assigns an “ARC” number to each document for tracking and indexing that particular document. The Administrative Code Editor edits and formats the document for publication in the Iowa Administrative Bulletin.

Adoption by Reference: §17A.6(4)

The IAC does not contain the actual text of every administrative rule. A large amount of rulemaking either implements verbatim federal regulation or various types of national codes, such as the building or electrical code. In these cases the material is actually published through other sources. Often, especially in the area of engineering type code, the material is used by a highly specialized and limited readership. In those cases drafting the actual language into Iowa rules would be impracticable; so the solution is to adopt a rule that references the material by a citation and its physical location. Iowa Code §17A.6(4) specifically requires that an agency which adopts material by reference must purchase and provide a copy of the publication containing the standards to the Administrative Rules Coordinator who deposits the copy in the state law library where it is available for inspection and reference.

All adoptions by reference must be limited to a “date certain”. This may be the date the material is published, the date it is made effective or any other date that ties the material to a specified point in time. The effect is that the adoption by reference does not include any later amendments to the adopted material.

Rulemaking Resources



The Organization of the Iowa Administrative Code {IAC}

The Iowa Administrative Code (IAC) has over 110 authors, since each agency promulgates its own rules. For this reason the publication is not organized by subject matter, it is alphabetically arranged by agency. Each agency is assigned its own space in the IAC and arranges its own rules within that space using a number assigned by the Administrative Code editor.

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