

Senate File 2370

H-8281

1 Amend Senate File 2370, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking page 1, line 28, through page 2, line 8.

4 2. Page 3, by striking lines 2 through 4 and inserting <for  
5 oral presentation required by subsection 4. In the case of a  
6 rule adopted without>

7 3. Page 4, by striking line 5 and inserting:

8 <Sec. \_\_\_\_ . Section 17A.6, subsections 3 and 4, Code 2024,  
9 are amended>

10 4. Page 4, after line 21 by inserting:

11 <4. In lieu of the procedures established in subsection 3,  
12 an agency may establish alternative procedures providing for  
13 public access to ~~an electronic or printed copy of~~ a publication  
14 containing standards adopted by reference if the publication is  
15 proprietary or contains proprietary information. For purposes  
16 of this subsection, "public access" means access that does not  
17 require purchase of the publication or payment for access to  
18 the publication.>

19 5. Page 5, line 17, by striking <subsection> and inserting  
20 <subsections>

21 6. Page 6, after line 28 by inserting:

22 <NEW SUBSECTION. 4. a. If a rule or portion of a rule  
23 adopted by an agency is determined by a court of competent  
24 jurisdiction to exceed the statutory authority of the agency  
25 or to be invalid on other grounds, or if a statute granting  
26 an agency authority to adopt a rule or portion of a rule  
27 is determined by a court of competent jurisdiction to be  
28 unconstitutional or to be invalid on other grounds, the agency,  
29 after the conclusion of any applicable period for appeals,  
30 shall notify the administrative code editor in writing of the  
31 court's decision. The notification shall include a copy of  
32 the decision and a citation to the affected rule or portion of  
33 the rule. The administrative rules coordinator may notify the  
34 administrative code editor in writing on behalf of the agency.  
35 b. As soon as practicable after receiving such notification,

1 the administrative code editor shall publish notice in the  
2 Iowa administrative bulletin of the court's decision and the  
3 citation of the affected rule or portion of the rule and, no  
4 sooner than two weeks after such publication, remove the rule  
5 or portion of the rule from the Iowa administrative code.>

6 7. Page 9, after line 9 by inserting:

7 <(5) An agency may by rule define an ambiguous statutory  
8 term that is not defined by statute if a statute explicitly  
9 grants the agency rulemaking authority over the statute in  
10 which the ambiguous term is included.>

11 8. Page 10, after line 11 by inserting:

12 <Sec. \_\_\_\_\_. Section 200.14, Code 2024, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 4. Rules adopted to implement this chapter  
15 are not subject to section 17A.7, subsection 2 or 3.

16 Sec. \_\_\_\_\_. Section 200A.4, Code 2024, is amended to read as  
17 follows:

18 **200A.4 Rulemaking.**

19 1. The department shall adopt all rules necessary to  
20 administer [this chapter](#) including but not limited to rules  
21 regulating licensure, labeling, registration, distribution, and  
22 storage of bulk dry animal nutrient products. A violation of  
23 this chapter includes a violation of any rule adopted pursuant  
24 to [this section](#) as provided in [chapter 17A](#).

25 2. Rules adopted to administer this chapter are not subject  
26 to section 17A.7, subsection 2 or 3.>

27 9. Page 10, line 19, by striking <subsection are> and  
28 inserting <section are>

29 10. Page 10, after line 19 by inserting:

30 <Sec. \_\_\_\_\_. Section 459.103, Code 2024, is amended by adding  
31 the following new subsection:

32 NEW SUBSECTION. 3. Rules adopted to implement this chapter  
33 are not subject to section 17A.7, subsection 2 or 3.

34 Sec. \_\_\_\_\_. Section 459A.104, Code 2024, is amended by adding  
35 the following new subsection:

1 NEW SUBSECTION. 4. Rules adopted to implement this chapter  
2 are not subject to section 17A.7, subsection 2 or 3.

3 Sec. \_\_\_\_\_. Section 459B.104, Code 2024, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 4. Rules adopted to implement this chapter  
6 are not subject to section 17A.7, subsection 2 or 3.>

7 11. Page 10, by striking lines 20 through 29 and inserting:  
8 <Sec. \_\_\_\_\_. Section 505.35, subsection 2, Code 2024, is  
9 amended by adding the following new paragraph:

10 NEW PARAGRAPH. *f.* Model laws, regulations, and guidelines,  
11 including references to federal statutes or regulations  
12 contained therein.

13 Sec. \_\_\_\_\_. Section 546.2, subsection 6, paragraph a, Code  
14 2024, is amended to read as follows:

15 *a.* Each division shall adopt rules pursuant to [chapter 17A](#)  
16 to implement its duties. Such rules shall not be subject to  
17 section 17A.7, subsection 3.

18 Sec. \_\_\_\_\_. Section 546.2, subsection 6, Code 2024, is amended  
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *c.* Each division has explicit authority  
21 to adopt rules pursuant to chapter 17A consistent with model  
22 or uniform regulations approved by national, federal, or  
23 international insurance, securities, banking, or credit union  
24 regulatory organizations, and not inconsistent with Iowa law.  
25 Such rules are exempt from the requirements of section 17A.6,  
26 subsection 5.>

27 12. Page 10, before line 30 by inserting:

28 <Sec. \_\_\_\_\_. EFFECTIVE DATE. The sections of this division of  
29 this Act amending sections 17A.19 and 17A.23 take effect July  
30 1, 2027.>

31 13. Title page, line 2, after <atters> by inserting <, and  
32 including effective date provisions>

33 14. By renumbering as necessary.

---

SEXTON of Calhoun