

House Amendment to
Senate File 2370

S-5182

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, line 6, by striking <paragraph "a"> and inserting
22 <this subsection>

23 7. Page 6, after line 28 by inserting:

24 <f. The administrative rules review committee may grant
25 a six-month extension of the date of rescission of a chapter
26 of rules provided in this subsection upon written request by
27 the agency that adopted the chapter. The request shall be
28 submitted to the administrative rules review committee by the
29 agency at least thirty days before the date of rescission with
30 a copy provided to the administrative code editor. The request
31 shall include an explanation of the agency's reasoning for
32 seeking an extension and any other information the agency finds
33 appropriate. If the administrative rules review committee
34 approves the request, the administrative code editor shall
35 update the rescission date included with the chapter pursuant

1 to paragraph "d".

2 NEW SUBSECTION. 4. a. If a rule or portion of a rule
3 adopted by an agency is determined by a court of competent
4 jurisdiction to exceed the statutory authority of the agency
5 or to be invalid on other grounds, or if a statute granting
6 an agency authority to adopt a rule or portion of a rule
7 is determined by a court of competent jurisdiction to be
8 unconstitutional or to be invalid on other grounds, the agency,
9 after the conclusion of any applicable period for appeals,
10 shall notify the administrative code editor in writing of the
11 court's decision. The notification shall include a copy of
12 the decision and a citation to the affected rule or portion of
13 the rule. The administrative rules coordinator may notify the
14 administrative code editor in writing on behalf of the agency.

15 b. As soon as practicable after receiving such notification,
16 the administrative code editor shall publish notice in the
17 Iowa administrative bulletin of the court's decision and the
18 citation of the affected rule or portion of the rule and, no
19 sooner than two weeks after such publication, remove the rule
20 or portion of the rule from the Iowa administrative code.>

21 8. By striking page 6, line 29, through page 9, line 18.>

22 9. Page 10, after line 11 by inserting:

23 <Sec. _____. Section 200.14, Code 2024, is amended by adding
24 the following new subsection:

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

27 Sec. _____. Section 200A.4, Code 2024, is amended to read as
28 follows:

29 **200A.4 Rulemaking.**

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

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

3 10. Page 10, line 19, by striking <subsection are> and
4 inserting <section are>

5 11. Page 10, after line 19 by inserting:

6 <Sec. _____. Section 459.103, Code 2024, is amended by adding
7 the following new subsection:

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

10 Sec. _____. Section 459A.104, Code 2024, is amended by adding
11 the following new subsection:

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

14 Sec. _____. Section 459B.104, Code 2024, is amended by adding
15 the following new subsection:

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

18 12. Page 10, by striking lines 20 through 29 and inserting:

19 <Sec. _____. Section 505.35, subsection 2, Code 2024, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. *f.* Model laws, regulations, and guidelines,
22 including references to federal statutes or regulations
23 contained therein.

24 Sec. _____. Section 546.2, subsection 6, paragraph a, Code
25 2024, is amended to read as follows:

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

29 Sec. _____. Section 546.2, subsection 6, Code 2024, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. *c.* Each division may adopt rules pursuant
32 to chapter 17A consistent with model or uniform regulations
33 approved by national, federal, or international insurance,
34 securities, banking, or credit union regulatory organizations,
35 and not inconsistent with Iowa law. Such rules are exempt from

1 the requirements of section 17A.6, subsection 5.>

2 13. By renumbering as necessary.