

House File 2744

H-8297

1 Amend House File 2744 as follows:

2 1. Page 1, before line 1 by inserting:

3

<DIVISION I

4

UNIFORM RULES ON AGENCY PROCEDURE

5 Section 1. Section 2B.5A, subsection 5, paragraph b,
6 subparagraph (2), Code 2026, is amended by striking the
7 subparagraph.>

8 2. By striking page 1, line 6, through page 5, line 3, and
9 inserting:

10 <Sec. _____. Section 17A.24, subsection 2, Code 2026, is
11 amended to read as follows:

12 2. If an agency does not have rules in effect ~~that address~~
13 concerning a subject provided matter relating to a subject
14 addressed in uniform rules on agency procedure adopted
15 pursuant to subsection 1, and uniform rules on agency procedure
16 ~~addressing the subject are in effect, such~~ uniform rules
17 adopted pursuant to subsection 1 concerning the matter shall
18 apply to the agency as though the agency had adopted them.

19 Sec. _____. RESCISSION OF ADMINISTRATIVE RULES — ONGOING
20 APPLICABILITY.

21 1. The following Iowa administrative rules relating to
22 subjects addressed by uniform rules on agency procedure adopted
23 by the administrative rules coordinator pursuant to section
24 17A.24 are rescinded as of July 1, 2026:

25 a. 11 IAC chs. 5 through 9.

26 b. 11 IAC 4.2 through 4.13, 4.17, 4.18, and 117.20.

27 c. 21 IAC chs. 2 through 5 and 8.

28 d. 21 IAC 6.3 through 6.13 and 6.17.

29 e. 27 IAC chs. 3 through 5 and 8.

30 f. 61 IAC chs. 11 and 12.

31 g. 61 IAC 2.2 through 2.13, 2.17, and 10.2.

32 h. 81 IAC ch. 27.

33 i. 81 IAC 24.3 through 24.13, 24.17, and 25.10.

34 j. 101 IAC 2.3, 2.4, and 5.3 through 5.9.

35 k. 111 IAC chs. 3 through 5 and 12.

1 l. 111 IAC 13.2 through 13.12 and 13.15.
2 m. 129 IAC chs. 6 and 11.
3 n. 161 IAC ch. 4.
4 o. 161 IAC 1.2 through 1.4, 11.2 through 11.12, 11.16,
5 11.17, and 15.3.
6 p. 181 IAC 1.8 through 1.12.
7 q. 187 IAC chs. 5, 6, 11, and 12.
8 r. 187 IAC 7.3 through 7.13 and 7.16.
9 s. 189 IAC chs. 4 and 20 through 23.
10 t. 189 IAC 25.3 through 25.13.
11 u. 191 IAC chs. 3 and 4.
12 v. 191 IAC 2.1, 2.3 through 2.10, and 2.12.
13 w. 193 chs. 3 and 7.
14 x. 193E IAC 1.4.
15 y. 193F IAC 1.6 and 1.7.
16 z. 199 IAC chs. 3 and 4.
17 aa. 199 IAC 1.3, 1.7(1), and 1.7(3) through 1.7(8).
18 ab. 201 IAC chs. 7 and 10 through 12.
19 ac. 201 IAC 5.2 through 5.13 and 5.16.
20 ad. 205 IAC chs. 2 through 4 and 15.
21 ae. 205 IAC 5.2 through 5.11, 5.14, and 6.3.
22 af. 261 IAC chs. 196 through 199.
23 ag. 261 IAC 195.2 through 195.8 and 195.11.
24 ah. 263 IAC chs. 2 through 6.
25 ai. 265 IAC chs. 7 and 16 through 18.
26 aj. 265 IAC 13.2 through 13.8, 13.11, and 15.9.
27 ak. 281 IAC chs. 2 through 4 and 6.
28 al. 281 IAC 5.1 through 5.3 and 5.6.
29 am. 282 IAC chs. 2, 3, and 6.
30 an. 282 IAC 5.1, 5.10, 5.11, 5.14, 5.15, 11.1, and 11.7
31 through 11.32.
32 ao. 283 IAC chs. 2 through 4 and 7.
33 ap. 283 IAC 6.1, 6.2, and 6.4.
34 aq. 284 IAC chs. 2 through 5.
35 ar. 288 IAC chs. 11 through 13.

1 as. 288 IAC 3.3 through 3.13 and 3.17.
2 at. 289 IAC chs. 2 through 4 and 8.
3 au. 289 IAC 5.3 through 5.11 and 5.13.
4 av. 301 IAC 2.4, 2.5, and 5.3 through 5.9.
5 aw. 351 IAC chs. 11 through 15.
6 ax. 351 IAC 2.2 through 2.13, 2.17, and 2.18.
7 ay. 371 IAC 1.2(6) and 9.3 through 9.13.
8 az. 441 IAC chs. 3 through 7.
9 ba. 441 IAC 9.1, 9.3 through 9.11, 9.13, and 9.14.
10 bb. 481 IAC chs. 2 through 4, 6, 9, 366, 367, 381, 382, and
11 435.
12 bc. 481 IAC 5.3 through 5.14.
13 bd. 486 IAC 8.3 through 8.12.
14 be. 491 IAC ch. 2.
15 bf. 491 IAC 1.4, 1.8, 3.3 through 3.13, and 4.20 through
16 4.48.
17 bg. 493 IAC chs. 2, 3, 5, and 6.
18 bh. 493 IAC 4.3 through 4.13.
19 bi. 495 IAC chs. 19, 26, 30, 31, and 33.
20 bj. 495 IAC 17.2 through 17.13 and 17.17.
21 bk. 497 IAC chs. 3 through 6 and 9.
22 bl. 497 IAC 7.2 through 7.11 and 7.14.
23 bm. 501 IAC ch. 16.
24 bn. 501 IAC 1.11 and 7.2 through 7.12.
25 bo. 541 IAC chs. 5, 6, and 7.
26 bp. 541 IAC 1.3, 8.2 through 8.13, and 8.16.
27 bq. 543 IAC ch. 5.
28 br. 545 IAC chs. 5 through 7.
29 bs. 545 IAC 8.3 through 8.13 and 8.17.
30 bt. 547 IAC chs. 6 through 8.
31 bu. 547 IAC 2.5, 2.6, 9.3 through 9.13, and 9.17.
32 bv. 561 IAC chs. 4 through 7 and 10.
33 bw. 561 IAC 2.1 and 2.3 through 2.13.
34 bx. 567 IAC chs. 4 through 7 and 13.
35 by. 571 IAC chs. 4 through 7 and 11.

1 bz. 575 IAC 1.5 and 1.8.
2 ca. 591 IAC chs. 2 through 4, 16, and 17.
3 cb. 601 IAC 2.3 through 2.13 and 2.18.
4 cc. 605 IAC 2.1 through 2.3, 2.4(1) through 2.4(9), and 2.5.
5 cd. 621 IAC chs. 2, 9, and 10.
6 ce. 621 IAC 1.5, 1.9, 12.2 through 12.11, and 12.15.
7 cf. 661 IAC ch. 10.
8 cg. 661 IAC 80.2 through 80.11, 80.13 through 80.15, 401.101
9 through 401.314, and 600.5.
10 ch. 681 IAC chs. 18 through 20.
11 ci. 681 IAC 17.3 through 17.13 and 17.16.
12 cj. 685 IAC chs. 2 through 4.
13 ck. 685 IAC 15.2 through 15.8.
14 cl. 701 IAC chs. 3 and 4.
15 cm. 701 IAC 5.2 through 5.9, 5.11, and 5.12.
16 cn. 721 IAC chs. 3 and 7 through 10.
17 co. 721 IAC 5.3 through 5.13.
18 cp. 741 IAC 2.4, 2.5, and 5.3 through 5.9.
19 cq. 751 IAC chs. 3, 4, 16, and 18.
20 cr. 751 IAC 2.1, 2.3 through 2.13, and 5.17 through 5.19.
21 cs. 761 IAC chs. 4 and 10 through 13.
22 ct. 761 IAC 20.4(6)“d” and 20.9(5).
23 cu. 781 IAC chs. 17 through 19.
24 cv. 781 IAC 2.3 through 2.13 and 2.17.
25 cw. 801 IAC chs. 2 through 4 and 8.
26 cx. 801 IAC 6.3 through 6.11 and 6.15.
27 cy. 811 IAC chs. 2 through 4, 14, and 16.
28 cz. 811 IAC 5.3 through 5.13 and 5.17.
29 da. 817 IAC chs. 2, 3, 5, and 6.
30 db. 821 IAC 1.5, 1.6, and 1.8.
31 dc. 871 IAC chs. 2, 4, and 5.
32 dd. 871 IAC 3.3 through 3.12 and 3.14.
33 de. 876 IAC chs. 4, 5, 7, and 12.
34 df. 876 IAC 9.3 through 9.12 and 9.14.
35 dg. The preamble of any chapter and introductory paragraph

1 of any rule that adopts by reference uniform rules on agency
2 procedure, if the uniform rules on agency procedure adopted
3 were published before January 1, 2024.

4 2. The following Iowa administrative rules relating to
5 subjects addressed by uniform rules on agency procedure adopted
6 by the administrative rules coordinator pursuant to section
7 17A.24 are rescinded as of January 1, 2027:

8 701 IAC chs. 6, 7, and 115.

9 3. As soon as practicable after the dates specified in
10 subsections 1 and 2, the administrative code editor shall
11 remove the language of the Iowa administrative rules referenced
12 in subsections 1 and 2 from the Iowa administrative code.

13 4. Administrative rules rescinded pursuant to subsections
14 1 and 2 remain applicable to a request or petition for
15 rulemaking; for a waiver of rules; for a declaratory order;
16 for a contested case, including a request or petition that
17 will be treated as a request or petition for a contested
18 case; for informal settlement; for access to records; or for
19 judicial review filed before the respective dates specified in
20 subsections 1 and 2, for the pendency of the action.

21 Sec. ____ . EMERGENCY RULES.

22 1. An agency may adopt emergency rules under section 17A.4,
23 subsection 3, and section 17A.5, subsection 2, paragraph
24 "b", providing for additions, exceptions, or amendments to
25 uniform rules on agency procedure adopted by the administrative
26 rules coordinator pursuant to section 17A.24. The rules
27 shall be effective immediately upon filing unless a later
28 date is specified in the rules, but no later than June 30,
29 2026. However, rules adopted by the department of revenue or
30 the property assessment appeal board relating to contested
31 cases shall be effective no later than December 31, 2026. Any
32 rules adopted in accordance with this subsection shall also be
33 published as a notice of intended action as provided in section
34 17A.4.

35 2. An agency may only adopt emergency rules under subsection

1 1 if the agency determines one or more of the following
2 applies. The agency shall explain its determination in the
3 preamble of the rulemaking document filed pursuant to section
4 17A.4, subsection 3.

5 a. The rule is necessary to comply with a legal obligation
6 imposed on the agency. The agency shall include in the
7 explanation a specific citation of the source of the legal
8 obligation, a description of how the rule is necessary to
9 comply with the legal obligation, and an explanation of why
10 the existing language of the uniform rules on agency procedure
11 adopted pursuant to section 17A.24 is insufficient to comply
12 with the legal obligation.

13 b. The rule is otherwise determined to be necessary by
14 the agency. The agency shall include in the explanation the
15 reason the agency determined the rule to be necessary and an
16 explanation of why the existing language of the uniform rules
17 on agency procedure adopted pursuant to section 17A.24 is
18 insufficient to respond to the necessity.

19 3. Notwithstanding section 17A.4A, a regulatory analysis
20 shall not be required for rules adopted pursuant to subsection
21 1.

22 4. This section shall not be construed to prohibit an agency
23 from engaging in rulemaking pursuant to chapter 17A relating to
24 uniform rules on agency procedure adopted pursuant to section
25 17A.24 that is not subject to this section.

26 5. This section is repealed January 1, 2027.

27 6. The repeal of this section pursuant to subsection 5 shall
28 not be construed to affect the validity of rules adopted under
29 this section before the date of repeal.>

30 3. Page 5, line 6, after <this> by inserting <division of
31 this>

32 4. Page 5, after line 7 by inserting:

33 <DIVISION ____
34 FIVE-YEAR REVIEW AND REGULATORY READOPTION OF ADMINISTRATIVE
35 RULES

1 Sec. _____. Section 17A.7, subsections 2 and 3, Code 2026, are
2 amended to read as follows:

3 2. a. Beginning January 1, 2027, each agency shall conduct
4 an ongoing and comprehensive review of all of the agency's
5 rules. The goal of the review is the identification and
6 elimination of all rules of the agency that are outdated,
7 redundant, or inconsistent or incompatible with statute or its
8 own rules or those of other agencies. Over each five-year
9 period of time, an agency shall perform a retrospective
10 analysis that includes a comprehensive evaluation and rigorous
11 cost-benefit analysis of each existing chapter of rules to
12 determine whether the benefits the rules are intended to
13 achieve are being realized, whether those benefits justify
14 the costs imposed by the rules, and whether there are less
15 restrictive alternatives to accomplish those benefits.

16 b. The administrative rules coordinator may adopt a schedule
17 for agencies to conduct reviews under this subsection that
18 staggers the reviews evenly over each five-year period. If the
19 administrative rules coordinator does so, the administrative
20 rules coordinator shall publish the schedule on the internet
21 site established or designated under paragraph "c".

22 c. When the agency completes the five-year review of the
23 agency's rules, the agency shall provide a written summary of
24 the results to the administrative rules coordinator and the
25 administrative rules review committee. The administrative
26 rules coordinator shall publish each summary on an internet
27 site established or designated for purposes of this subsection.
28 The summary shall include all of the following for each chapter
29 of rules:

30 ~~a.~~ (1) The intended benefits of the rules and if the
31 benefits are being achieved.

32 ~~b.~~ (2) The costs imposed by the rules and if the costs
33 are justified by the benefits identified in ~~paragraph "a"~~
34 subparagraph (1).

35 ~~c.~~ (3) Less restrictive alternatives to the rules and an

1 analysis of how other states regulate the activities addressed
2 by the chapter.

3 3. a. Each chapter of rules is rescinded five years after
4 the date on which the most recent regulatory readoption of
5 the chapter as a whole became effective. A chapter rescinded
6 in this manner ceases to be effective as of the date of
7 rescission. The date of rescission of a chapter under this
8 subsection shall not be altered if such date falls on a
9 Saturday, Sunday, or holiday.

10 b. ~~Before or after such~~ rescission under paragraph "a"
11 occurs, the agency that adopted the chapter may adopt complete
12 a regulatory readoption of the chapter anew after completing
13 ~~a retrospective analysis as described in subsection 2.~~ Such
14 ~~adoption~~ A regulatory readoption shall be subject to the
15 rulemaking process under this chapter, including but not
16 limited to sections 17A.4, 17A.4A, and 17A.5. An agency
17 ~~adopting~~ completing a regulatory readoption of a chapter
18 ~~anew as described in this subsection~~ shall do so from a zero
19 base. ~~Adoption~~ A regulatory readoption of a chapter ~~anew as~~
20 ~~described in this subsection~~ shall not include notation in
21 ~~a rulemaking document published in the Iowa administrative~~
22 ~~bulletin~~ all amendments to the chapter found necessary or
23 appropriate by the agency during the agency's comprehensive
24 review and retroactive analysis of the chapter pursuant to
25 subsection 2 that have not yet been adopted by the agency. A
26 regulatory readoption of a chapter shall include notations
27 of additions to or deletions from the language of the prior
28 chapter in the item statements in any rulemaking document
29 published in the Iowa administrative bulletin. The agency
30 shall indicate in the preamble of the rulemaking document
31 that the document is part of the regulatory readoption of the
32 chapter. For purposes of this subsection, "zero base" means
33 adoption of a chapter anew without merely adopting the prior
34 language of the chapter and without any presumption in favor
35 of utilizing retaining the prior language when the chapter is

1 ~~adopted anew of the chapter.~~

2 ~~b. The effective date of adoption, amendment, or rescission~~
3 ~~of individual rules or portions of rules in a chapter, and~~
4 ~~the date of any changes to the chapter or rules or portions~~
5 ~~of rules in the chapter pursuant to section 2B.13, shall not~~
6 ~~be considered when determining the effective date of the~~
7 ~~chapter as a whole for purposes of this subsection. The date~~
8 ~~of rescission of a chapter under this subsection shall not be~~
9 ~~altered if such date falls on a Saturday, Sunday, or holiday.~~

10 c. (1) If a chapter has been rescinded under this
11 subsection, the agency that adopted the chapter shall notify
12 the administrative code editor in writing of the rescission.
13 The administrative rules coordinator may notify the
14 administrative code editor in writing on behalf of the agency.

15 (2) As soon as practicable after receiving such
16 notification, the administrative code editor shall publish
17 notice of the rescission in the Iowa administrative bulletin
18 and, no sooner than two weeks after such publication, remove
19 the chapter from the Iowa administrative code.

20 d. When a regulatory readoption of a chapter of rules
21 ~~becoming effective as a whole~~ is published in the Iowa
22 administrative code, the administrative code editor shall
23 include the next rescission date of the chapter, as provided in
24 this subsection, with the chapter.

25 e. (1) ~~For a chapter of rules that most recently became~~
26 ~~effective as a whole prior to January 1, 2023, the effective~~
27 ~~date of the chapter shall be deemed January 1, 2023, for~~
28 ~~purposes of this subsection. For a chapter that most recently~~
29 ~~became effective as a whole on or after January 1, 2023, the~~
30 ~~date of rescission pursuant to this subsection shall be based~~
31 ~~on the most recent effective date of the chapter as a whole.~~
32 Notwithstanding paragraph "a":

33 (a) The date of rescission of a chapter that becomes
34 effective as a whole from January 1, 2023, through January
35 1, 2028, both dates inclusive, shall be deemed to be five

1 years after the date on which the chapter most recently became
2 effective as a whole.

3 (b) The date of rescission of a chapter that was in effect
4 prior to January 1, 2023, and did not become effective as a
5 whole from January 1, 2023, through January 1, 2028, both dates
6 inclusive, shall be deemed to be January 1, 2028.

7 (2) The effective date of adoption, amendment, or
8 rescission of individual rules or portions of rules in a
9 chapter, and the date of any changes to the chapter or rules
10 or portions of rules in the chapter pursuant to section 2B.13,
11 shall not be considered when determining the effective date of
12 the chapter as a whole for purposes of this paragraph.

13 (3) The administrative code editor shall include the next
14 rescission date of a chapter under this paragraph with the
15 chapter in lieu of the date provided in paragraph `d`.

16 *f.* The administrative rules review committee may grant
17 ~~a six-month~~ an extension of up to one hundred eighty days
18 of the date of rescission of a chapter of rules provided
19 in this subsection upon written request by the agency that
20 adopted the chapter. The request shall be submitted to the
21 administrative rules review committee by the agency at least
22 ~~thirty~~ thirty-five days before the date of rescission with a
23 copy provided to the administrative code editor. The request
24 shall include an explanation of the agency's reasoning for
25 seeking an extension and any other information the agency finds
26 appropriate. If the administrative rules review committee
27 approves the request, the administrative code editor shall
28 update the rescission date included with the chapter pursuant
29 to paragraph `d` or `e`.>

30 5. Title page, by striking lines 1 and 2 and inserting
31 <An Act concerning the executive branch rulemaking process,
32 including the uniform rules on agency procedure and review and
33 regulatory readoption of rules, and including effective date>

34 6. By renumbering as necessary.

INGELS of Fayette