

House File 2717

H-8326

1 Amend House File 2717 as follows:

2 1. Page 1, by striking lines 1 and 2 and inserting:

3 <DIVISION I

4 RULEMAKING PROCESS — LEGISLATIVE REVIEW, DELAY, AND APPROVAL  
5 OF RULES>

6 2. By striking page 1, line 32, through page 2, line 1, and  
7 inserting <administrative bulletin created pursuant to section  
8 2B.5A. The legislative services agency shall provide the  
9 chairpersons and ranking members of the appropriate standing  
10 committees of the general assembly a means to receive an  
11 electronic copy of the notice for additional study. Any notice  
12 of intended action>

13 3. Page 5, by striking lines 31 through 35.

14 4. By striking page 6, line 11, through page 10, line 33,  
15 and inserting:

16 <Sec. \_\_\_\_\_. Section 17A.8, subsections 1, 5, and 6, Code  
17 2026, are amended to read as follows:

18 1. There is created the "Administrative Rules Review  
19 Committee." The committee shall be bipartisan and shall be  
20 composed of the following members:

21 *a.* ~~Three~~ Five senators appointed by the majority leader of  
22 the senate and ~~two~~ three senators appointed by the minority  
23 leader of the senate. The members appointed by the majority  
24 leader of the senate, other than the chairperson, shall be  
25 chairpersons of standing committees of the senate.

26 *b.* ~~Three~~ Five representatives appointed by the  
27 speaker of the house of representatives and ~~two~~ three  
28 representatives appointed by the minority leader of the house  
29 of representatives. The members appointed by the speaker of  
30 the house, other than the chairperson, shall be chairpersons of  
31 standing committees of the house of representatives.

32 5. *a.* A regular committee meeting shall be held at the  
33 seat of government on the second Tuesday of each month or on an  
34 alternative date established by the committee. An additional  
35 committee meeting shall be held in each month in which the

1 general assembly is convened for a regular session. The  
2 chairperson may waive the requirement for an additional meeting  
3 in a month in which a regular session of the general assembly  
4 adjourns. Unless impracticable, in advance of each such  
5 meeting the subject matter to be considered shall be published  
6 in the Iowa administrative bulletin.

7 b. A special committee meeting may be called by the  
8 chairperson at any place in the state and at any time. Unless  
9 impracticable, in advance of each special meeting notice of  
10 the time and place of such meeting and the subject matter to  
11 be considered shall be published in the Iowa administrative  
12 bulletin.

13 6. The committee shall meet for the purpose of selectively  
14 reviewing rules, whether proposed or in effect. The committee  
15 shall review a notice of intended action classified as a major  
16 rule pursuant to section 17A.4, subsection 1, paragraph "a",  
17 before the earliest date on which the proposed rule could  
18 be adopted pursuant to that paragraph. The committee shall  
19 review a rule adopted under section 17A.5, subsection 2,  
20 paragraph "b", and classified as a major rule pursuant to  
21 section 17A.4, subsection 1, paragraph "a", or section 17A.5,  
22 subsection 3, within thirty-five days of the publication of  
23 the adopted rule in the Iowa administrative bulletin. The  
24 committee shall review any other adopted rule classified as a  
25 major rule pursuant to section 17A.4, subsection 1, paragraph  
26 "a", or section 17A.5, subsection 3, before its effective  
27 date. A regular or special committee meeting shall be open to  
28 the public and an interested person may be heard and present  
29 evidence. The committee may require a representative of an  
30 agency whose rule or proposed rule is under consideration  
31 to attend a committee meeting. The committee may request  
32 additional information about a rule from an agency.

33 Sec. \_\_\_\_\_. Section 17A.8, subsection 4, Code 2026, is amended  
34 by adding the following new paragraph:

35 NEW PARAGRAPH. c. The administrative rules review

1 committee may establish a subcommittee of three members of  
2 the general assembly for the purpose of providing additional  
3 review of a proposed or adopted major rule. The chairperson  
4 of the subcommittee shall be a member of a standing committee  
5 appropriate for the subject matter of the major rule. At  
6 least two members of the subcommittee shall be members of the  
7 administrative rules review committee. The subcommittee may  
8 request additional information about the major rule from the  
9 agency that proposed or adopted the major rule and require  
10 a representative of the agency to attend a meeting of the  
11 subcommittee or the committee and respond to questions from  
12 subcommittee or committee members. The subcommittee may  
13 provide recommendations and other information regarding the  
14 major rule to the committee.

15 Sec. \_\_\_\_\_. Section 17A.8, Code 2026, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 11. *a.* Upon a vote of the majority of  
18 its members, the administrative rules review committee may  
19 delay the effective date of a rule for approval by the general  
20 assembly, unless the rule is adopted under section 17A.5,  
21 subsection 2, paragraph "b". If the rule is adopted under  
22 section 17A.5, subsection 2, paragraph "b", the committee,  
23 within thirty-five days of the publication of the rule in the  
24 Iowa administrative bulletin and upon a vote of the majority  
25 of its members, may suspend the applicability of the rule for  
26 approval by the general assembly. The committee may delay the  
27 effective date or suspend the applicability of a rule if it  
28 determines any of the following:

29 (1) The rule lacks adequate statutory authority.

30 (2) The rule imposes costs, burdens, or mandates on the  
31 private sector that are not justified by the regulatory  
32 analysis required by section 17A.4A.

33 (3) The agency failed to comply with a requirement of this  
34 chapter in its rulemaking process.

35 (4) The rule raises significant policy concerns that

1 warrant review by the general assembly.

2     *b.* The committee shall refer the rule to the speaker of the  
3 house of representatives and the president of the senate. The  
4 referral shall be in writing and shall include the committee's  
5 specific determination under paragraph "a", subparagraphs  
6 (1) through (4), the committee's findings regarding the  
7 determination, and any other information the committee deems  
8 appropriate. The committee shall make the referral within ten  
9 days of the vote under paragraph "a". The administrative code  
10 editor shall publish the referral in the Iowa administrative  
11 bulletin.

12     *c.* The rule shall not become effective or applicable unless  
13 it is approved by the general assembly. A rule that is not  
14 approved shall not become effective or applicable. The general  
15 assembly may approve a rule by passage of a joint resolution.  
16 The rule shall become effective or applicable on the effective  
17 date of the joint resolution.

18     *d.* (1) If the effective date of a rule is delayed or the  
19 applicability of a rule is suspended under this subsection  
20 while the general assembly is not in session, and the governor  
21 determines that the rule must become effective or applicable  
22 immediately due to a requirement of federal law, a condition of  
23 federal funding, or a state of disaster emergency proclaimed  
24 by the governor pursuant to section 29C.6, the governor may  
25 request temporary approval of the rule by the legislative  
26 council. The rule shall become effective or applicable  
27 upon temporary approval by the legislative council. A rule  
28 temporarily approved by the legislative council shall cease to  
29 be effective or applicable upon the adjournment of the next  
30 regular session of the general assembly unless the general  
31 assembly approves the rule by passage of a joint resolution  
32 before adjournment. A rule that ceases to be applicable shall  
33 cease to be effective on the same date. The rule shall remain  
34 effective or applicable if approved.

35     (2) As soon as practicable, but no sooner than two weeks

1 after publication of notice pursuant to paragraph "e", the  
2 administrative code editor shall remove a rule that has ceased  
3 to be effective or applicable from the Iowa administrative  
4 code.

5 e. The administrative code editor shall publish notice of a  
6 delayed effective date or of applicability that was suspended,  
7 and that a rule has been approved or ceased to be effective, in  
8 the Iowa administrative code and bulletin.

9 f. Action by the committee under this subsection shall not  
10 be construed to preclude any of the following:

11 (1) Any other action on a rule by the committee authorized  
12 by this chapter, including but not limited to subsections 9 and  
13 10.

14 (2) Enactment of legislation relating to a rule by the  
15 general assembly.

16 (3) Further rulemaking by an agency.

17 Sec. \_\_\_\_ . NEW SECTION. 17A.19A **Judicial review — major**  
18 **rules.**

19 1. In addition to any other action permitted under section  
20 17A.19, an aggrieved or adversely affected person or party may  
21 bring an action in district court concerning a major rule.  
22 The district court shall have jurisdiction to do all of the  
23 following:

24 a. Engage in de novo review of whether a rule is a major  
25 rule.

26 b. Determine whether an agency complied with the  
27 requirements of this chapter relating to major rules.

28 c. Determine when or if a rule alleged to be a major rule  
29 became effective.

30 2. The approval of a major rule by the general assembly  
31 pursuant to section 17A.8, subsection 11, shall not do any of  
32 the following:

33 a. Extinguish or otherwise affect any legal claim, whether  
34 substantive or procedural, concerning any alleged legal defect  
35 of the major rule.

1     *b.* Be construed as a grant or modification of statutory  
2 authority by the general assembly for the adoption of the major  
3 rule.

4     *c.* Be part of the record before the district court in any  
5 judicial proceeding concerning a major rule except for purposes  
6 of a proceeding under subsection 1.

7     Sec. \_\_\_\_ . APPLICABILITY. This division of this Act applies  
8 to rulemaking commencing with a regulatory analysis pursuant to  
9 section 17A.4A, as amended by this Act, published in the Iowa  
10 administrative bulletin on or after October 1, 2026, or with  
11 a rule adopted under section 17A.4, subsection 3, and section  
12 17A.5, subsection 2, paragraph "b", on or after October 1,  
13 2026.>

14     5. Title page, by striking line 2 and inserting <legislative  
15 review, delay, and approval of administrative rules and  
16 ratification of certain other>

17     6. By renumbering as necessary.

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WILLS of Dickinson