

FEB 1 2006
STATE GOVERNMENT

HOUSE FILE 2215
BY EICHHORN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requests for regulatory analysis of
2 administrative rules.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2215

1 Section 1. Section 17A.4A, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. An agency shall issue a regulatory analysis of a
4 proposed rule that complies with subsection 2, paragraph "a",
5 if, within ~~thirty-two~~ seventy days after the published notice
6 of proposed rule adoption, a written request for the analysis
7 is submitted to the agency by the administrative rules review
8 committee or the administrative rules coordinator. An agency
9 shall issue a regulatory analysis of a proposed rule that
10 complies with subsection 2, paragraph "b", if the rule would
11 have a substantial impact on small business and if, within
12 ~~thirty-two~~ seventy days after the published notice of proposed
13 rule adoption, a written request for analysis is submitted to
14 the agency by the administrative rules review committee, the
15 administrative rules coordinator, at least twenty-five persons
16 signing that request who each qualify as a small business or
17 by an organization representing at least twenty-five such
18 persons. If a rule has been adopted without prior notice and
19 an opportunity for public participation in reliance upon
20 section 17A.4, subsection 2, the written request for an
21 analysis that complies with subsection 2, paragraph "a" or
22 "b", may be made within seventy days of publication of the
23 rule.

24 Sec. 2. Section 17A.4A, subsection 4, Code 2005, is
25 amended to read as follows:

26 4. ~~Upon receipt by an agency of a timely~~ If a written
27 request for a regulatory analysis is received by the agency
28 prior to the adoption of a rule, the agency shall extend the
29 period specified in this chapter for each of the following
30 until at least twenty days after publication in the
31 administrative bulletin of a concise summary of the regulatory
32 analysis:

33 a. The end of the period during which persons may make
34 written submissions on the proposed rule.

35 b. The end of the period during which an oral proceeding

1 may be requested.

2 c. The date of any required oral proceeding on the
3 proposed rule.

4 In the case of a rule adopted without prior notice and an
5 opportunity for public participation in reliance upon section
6 17A.4, subsection 2, the summary must be published within
7 seventy days of the request.

8 In the case of a rule adopted prior to the date of a
9 written request, but not yet effective, the effective date of
10 the rule is automatically delayed until thirty-five days after
11 publication in the administrative bulletin of a concise
12 summary of the regulatory analysis. In the case of a rule
13 adopted without prior notice and an opportunity for public
14 participation in reliance upon section 17A.4, subsection 2,
15 the summary must be published within seventy days of the
16 request.

17 EXPLANATION

18 This bill extends the period for the request of a
19 regulatory analysis of an administrative rule from 32 to 70
20 days. In the case of a rule adopted prior to the date of the
21 written request, but not yet effective, the bill would delay
22 the effective date of the rule until 35 days after publication
23 in the administrative bulletin of a concise summary of the
24 regulatory analysis.

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