## House File 2219 - Introduced

HOUSE FILE 2219
BY UPMEYER

## 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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- 1 Section 1. Section 17A.4A, subsection 1, Code 2009, is 2 amended to read as follows:
- 3 1. An agency shall issue a regulatory analysis of a proposed
- 4 rule that complies with subsection 2, paragraph "a", if,
- 5 within thirty-two seventy days after the published notice of
- 6 proposed rule adoption, a written request for the analysis is
- 7 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 by
- 17 an organization representing at least twenty-five such persons.
- 18 If a rule has been adopted without prior notice and an
- 19 opportunity for public participation in reliance upon section
- 20 17A.4, subsection 3, the written request for an analysis that
- 21 complies with subsection 2, paragraph "a" or "b", may be made
- 22 within seventy days of publication of the rule.
- 23 Sec. 2. Section 17A.4A, subsection 4, Code 2009, is amended
- 24 to read as follows:
- 25 4. Upon receipt by an agency of a timely If a
- 26 written request for a regulatory analysis is received by the
- 27 agency prior to the adoption of a rule, the agency shall
- 28 extend the period specified in this chapter for each of the
- 29 following until at least twenty days after publication in the
- 30 administrative bulletin of a concise summary of the regulatory
- 31 analysis:
- 32 a. The end of the period during which persons may make
- 33 written submissions on the proposed rule.
- 34 b. The end of the period during which an oral proceeding may
- 35 be requested.

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- 1 c. The date of any required oral proceeding on the proposed 2 rule.
- 3 Sec. 3. Section 17A.4A, subsection 5, Code 2009, is amended 4 to read as follows:
- 5 5. a. In the case of a rule adopted without prior notice
- 6 and an opportunity for public participation in reliance upon
- 7 section 17A.4, subsection 3, the summary must be published
- 8 within seventy days of the request.
- 9 b. In the case of a rule adopted prior to the date of a
- 10 written request, but not yet effective, the effective date of
- 11 the rule is automatically delayed until thirty-five days after
- 12 publication in the administrative bulletin of a concise summary
- 13 of the regulatory analysis.
- 14 EXPLANATION
- 15 This bill extends the period for the request of a regulatory
- 16 analysis of an administrative rule from 32 to 70 days. In
- 17 the case of a rule adopted prior to the date of the written
- 18 request, but not yet effective, the bill would delay the
- 19 effective date of the rule until 35 days after publication
- 20 in the administrative bulletin of a concise summary of the
- 21 regulatory analysis.

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