

House File 2220 - Introduced

HOUSE FILE 2220
BY UPMEYER

A BILL FOR

1 An Act relating to the legislative review of administrative
2 rules, and rescinding all rules every five years.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 17A.4, subsection 1, paragraph a, Code
2 2009, is amended to read as follows:

3 a. Give notice of its intended action by submitting
4 the notice to the administrative rules coordinator and
5 the administrative code editor. The administrative rules
6 coordinator shall assign an ARC number to each rulemaking
7 document. The administrative code editor shall publish each
8 notice meeting the requirements of this chapter in the Iowa
9 administrative bulletin created pursuant to section 17A.6.
10 The agency shall also submit a copy of the notice to the
11 speaker of the house of representatives and the president
12 of the senate who shall refer the rules to the appropriate
13 standing committees of the general assembly for additional
14 study. Any notice of intended action shall be published at
15 least thirty-five days in advance of the action. The notice
16 shall include a statement of either the terms or substance of
17 the intended action or a description of the subjects and issues
18 involved, and the time when, the place where, and the manner in
19 which interested persons may present their views.

20 Sec. 2. Section 17A.5, subsection 1, Code 2009, is amended
21 to read as follows:

22 1. Each agency shall file each rule adopted by the agency
23 with the office of the administrative rules coordinator and
24 provide an exact copy to the administrative code editor. The
25 administrative rules coordinator shall assign an ARC number to
26 each rulemaking document. The administrative rules coordinator
27 shall keep a permanent register of the rules open to public
28 inspection. The administrative code editor shall publish
29 each rule adopted in accordance with this chapter in the Iowa
30 administrative code. The agency shall also submit a copy of
31 the adopted rule to the speaker of the house of representatives
32 and the president of the senate who shall refer the rule to the
33 appropriate standing committees of the general assembly for
34 additional study.

35 Sec. 3. Section 17A.5, Code 2009, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 3. An administrative rule is rescinded five
3 years after the initial effective date of the rule, excluding
4 the effective dates of later amendments. For rules that are in
5 effect on July 1, 2010, the rescision date is July 1, 2015.

6 Sec. 4. Section 17A.6, subsection 3, paragraph b, Code 2009,
7 is amended to read as follows:

8 *b.* The administrative code editor shall omit or cause to be
9 omitted from the Iowa administrative code any rule or portion
10 of a rule nullified by the general assembly pursuant to Article
11 III, section 40, of the Constitution of the State of Iowa, and
12 shall publish notice of such nullification in the bulletin.

13 Sec. 5. NEW SECTION. **17A.8A Legislative review of rules.**

14 The standing committees of the house of representatives and
15 senate may review any administrative rule. If reviewed, the
16 standing committee reviewing the rule shall report to the house
17 of representatives or senate its findings and recommendations
18 concerning its review. If ordered by the speaker of the house
19 of representatives or the president of the senate, the report
20 of the committee shall be printed in the journal.

21 EXPLANATION

22 This bill requires administrative agencies to submit copies
23 of all proposed and adopted administrative rules to the general
24 assembly and would allow standing committees of the house of
25 representatives and senate to review any administrative rule.
26 As part of the rulemaking process, no rule could remain in
27 effect for more than five years.