House Study Bill 505 - Introduced

HOUS	SE LITE
ВУ	(PROPOSED COMMITTEE ON
	ECONOMIC GROWTH/REBUILD
	IOWA BILL BY CHAIRPERSON
	GRASSLEY)

A BILL FOR

- 1 An Act imposing a moratorium on new administrative rules under
- 2 certain conditions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. ____

- 1 Section 1. NEW SECTION. 17A.35 New rules moratorium.
- An agency shall not adopt a rule unless the rate of
- 3 insured unemployment for the state, as determined by the
- 4 department of workforce development, on the date of adoption of
- 5 the rule, is below four percent.
- 6 2. This section shall not apply to adoption of a rule
- 7 necessary to prevent a substantial and immediate danger to the
- 8 public health or safety as determined by an agency. In any
- 9 subsequent action contesting the adoption of a rule pursuant to
- 10 this subsection, the burden of proof shall be on the agency to
- 11 justify its determination. The agency's determination and a
- 12 full statement of the reasons therefor shall be filed with and
- 13 made part of the rule.
- 3. This section shall not apply to the adoption of a
- 15 rule, which is an amendment or repeal of an existing rule, if
- 16 the adopting agency determines that such adoption will not
- 17 negatively impact the rate of insured unemployment for the
- 18 state. In any subsequent action contesting the adoption of
- 19 a rule subject to this subsection, the burden of proof shall
- 20 be on the agency to justify its determination. The agency's
- 21 determination and a full statement of the reasons therefor
- 22 shall be filed with and made part of the rule.
- 23 4. This section shall not apply to the adoption of a rule
- 24 which is specifically required by statute.
- 25 EXPLANATION
- 26 This bill prohibits an agency from adopting a rule pursuant
- 27 to the Iowa administrative procedure act unless the rate of
- 28 insured unemployment for the state, as determined by the
- 29 department of workforce development, on the date of adoption of
- 30 the rule, is below 4 percent.
- 31 The bill does not apply to the adoption of a rule which an
- 32 agency determines is necessary to prevent a substantial and
- 33 immediate danger to the public health or safety. In any action
- 34 contesting the adoption of a rule under this exception, the
- 35 agency bears the burden of proof.

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H.F. ____

- 1 The bill does not apply to the adoption of a rule, which is
- 2 an amendment or repeal of an existing rule, if the adopting
- 3 agency determines that such adoption will not negatively impact
- 4 the rate of insured unemployment for the state. In any action
- 5 contesting the adoption of a rule under this exception, the
- 6 agency bears the burden of proof.
- The bill also does not apply to the adoption of a rule which
- 8 is specifically required by statute.