

Senate File 1 - Introduced

SENATE FILE 1

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A BILL FOR

1 An Act requiring jobs impact statements for administrative
2 rules.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 17A.4B Job impact statement.

2 1. a. "Benefit" means the reasonably identifiable and
3 quantifiable positive effect or outcome that is expected to
4 result from implementation of a rule.

5 b. "Cost" means reasonably identifiable, significant, direct
6 or indirect, economic impact that is expected to result from
7 implementation of and compliance with a rule.

8 c. "Cost-benefit analysis" means regulatory analysis
9 to provide the public with transparency regarding the
10 cost-effectiveness of a rule, including the economic costs
11 and benefits and the effectiveness weighed by the agency
12 in adopting the rule. "Cost-benefit analysis" includes a
13 comparison of the probable costs and benefits of a rule to the
14 probable costs and benefits of less intrusive or less expensive
15 methods that exist for achieving the purpose of the rule.

16 d. "Jobs" means private sector employment including
17 self-employment and areas for potential for employment growth.

18 e. "Jobs impact statement" means a statement that does all
19 of the following:

20 (1) Identifies the purpose of a rule and the applicable
21 section of the statute that provides specific legal authority
22 for the agency to adopt the rule.

23 (2) Identifies and describes the cost that the agency
24 anticipates state agencies, local governments, the public, and
25 the regulated entities, including regulated businesses and
26 self-employed individuals, will incur due to implementing and
27 complying with a rule.

28 (3) Determines whether a rule would have a positive
29 or negative impact on private sector jobs and employment
30 opportunities in Iowa.

31 (4) Describes and quantifies the nature of the impact a rule
32 will have on private sector jobs and employment opportunities
33 including the categories of jobs and employment opportunities
34 that are affected by the rule, and the number of jobs or
35 potential job opportunities and the regions of the state

1 affected by the rule.

2 (5) Identifies, where possible, the additional costs to
3 employers per employee due to implementing and complying with
4 a rule.

5 (6) Includes other relevant analysis requested by the
6 administrative rules coordinator.

7 2. Prior to implementation of a rule, an agency shall
8 take steps to minimize the adverse impact on jobs and
9 the development of new employment opportunities due to
10 implementation of the rule.

11 3. An agency shall provide a jobs impact statement to the
12 administrative rules coordinator prior to publication of a
13 notice of intended action or the publication of a rule filed
14 without notice pursuant to section 17A.4, subsection 3.

15 4. The jobs impact statement shall be published as part
16 of the preamble to the notice of rulemaking in the Iowa
17 administrative bulletin, unless the administrative rules
18 coordinator determines that publication of the entire jobs
19 impact statement would be unnecessary or impractical.

20 5. An agency shall accept comments and information
21 from stakeholders prior to final preparation of the jobs
22 impact statement. Any concerned private sector employer or
23 self-employed individual, potential employer, potential small
24 business, or member of the public may submit information
25 relating to a jobs impact statement prior to publication of
26 a notice of intended action or publication of a rule filed
27 without notice pursuant to section 17A.4, subsection 3. An
28 agency may request that such information be submitted to the
29 agency.

30 6. If a jobs impact statement is revised after a notice
31 of intended action or a rule filed without notice pursuant to
32 section 17A.4, subsection 3, is published, the revised jobs
33 impact statement shall be published as part of the preamble
34 to the adopted version of the rule, unless the administrative
35 rules coordinator determines that publication of the entire

1 jobs impact statement would be unnecessary or impractical.

2 7. The analysis in the jobs impact statement shall give
3 particular weight to jobs in production sectors of the economy
4 which includes the manufacturing and agricultural sectors of
5 the economy and shall include analysis, where applicable, of
6 the impact of the rule on expansion of existing businesses or
7 facilities.

8 8. The administrative rules coordinator may waive the jobs
9 impact statement requirement for rules proposed under section
10 17A.4, subsection 3, or section 17A.5, subsection 2, paragraph
11 "b", or if unnecessary or impractical.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill requires that every proposed rule under a notice
16 of intended action or publication without notice contain a
17 jobs impact statement which outlines the purpose and statutory
18 authority of the rule and analyzes and sets out in detail
19 the impact of the proposed rule on state agencies, local
20 governments, the public, and the regulated entities, including
21 regulated businesses and self-employed individuals affected by
22 the rule. The statement must also determine whether a proposed
23 rule would have a positive or negative impact on private sector
24 jobs and employment opportunities.

25 As part of this requirement, an agency is required to
26 take steps to minimize the adverse impact on jobs and the
27 development of new employment opportunities before proposing
28 a rule. An agency is also required to accept comments and
29 information from stakeholders prior to final preparation of a
30 jobs impact statement.

31 The administrative rules coordinator may waive the jobs
32 impact statement requirement for rules filed using emergency
33 rulemaking procedures or if unnecessary or impractical.