

Senate File 141 - Introduced

SENATE FILE 141
BY WHITING

A BILL FOR

1 An Act providing for decennial approval of administrative rules
2 by the general assembly and related procedures and including
3 effective date provisions.

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

1 Section 1. NEW SECTION. 17A.24 Decennial approval of rules
2 by general assembly — procedures.

3 1. Each agency, in consultation with the administrative
4 rules coordinator, shall submit a report to the general
5 assembly no later than January 1 each year commencing in 2020
6 designating no less than ten percent of rules adopted by the
7 agency and in effect as of January 1 of that year for review by
8 the general assembly. The agency shall make such designations
9 by specific citation to rules in the Iowa administrative code.
10 The agency shall not designate a rule that has been subject to
11 review pursuant to this section in the previous nine years.
12 The general assembly shall publish such reports on the general
13 assembly's internet site.

14 2. The president of the senate and the speaker of the house
15 of representatives shall refer reports submitted pursuant to
16 subsection 1 to the appropriate standing committees of the
17 general assembly for review. A standing committee may sponsor
18 a joint resolution as described in subsection 3 to approve a
19 rule designated in a report pursuant to subsection 1.

20 3. The general assembly may approve a rule designated in
21 a report pursuant to subsection 1 by joint resolution. Such
22 a resolution may include more than one designated rule and
23 designated rules from more than one agency.

24 4. Except as provided in subsection 5, a rule is void upon
25 the adjournment of the next regular session of the general
26 assembly following the submission of a report pursuant to
27 subsection 1 that designates the rule if the rule has not been
28 approved by joint resolution pursuant to subsection 3. An
29 agency shall not adopt a rule in the same or a substantially
30 similar form to a rule that has become void pursuant to this
31 section unless specifically authorized by a provision of law.

32 5. The general assembly may by joint resolution defer
33 action on approval of a rule designated in a report pursuant
34 to subsection 1 until the next regular session of the general
35 assembly. Such a resolution may include more than one

1 designated rule and designated rules from more than one agency.
2 If action on a rule is deferred pursuant to this subsection,
3 the rule is void upon the adjournment of the next regular
4 session of the general assembly following the deferral. The
5 general assembly may defer action on approval of a rule
6 multiple times.

7 6. Upon adjournment of a regular session of the general
8 assembly, the administrative code editor shall remove from the
9 Iowa administrative code a rule designated in a report pursuant
10 to subsection 1 that has become void pursuant to subsection 4
11 or 5.

12 7. The legislative services agency shall provide agencies
13 with information regarding the Iowa administrative code as
14 necessary to facilitate the drafting of reports pursuant to
15 subsection 1.

16 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
17 importance, takes effect upon enactment.

18 EXPLANATION

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

21 This bill directs each executive branch agency, in
22 consultation with the administrative rules coordinator, to
23 submit a report to the general assembly no later than January
24 1 each year commencing in 2020 designating no less than 10
25 percent of the rules adopted by the agency and in effect as
26 of January 1 of that year for review by the general assembly.
27 Designated rules shall not include rules that have been subject
28 to review pursuant to the bill in the previous nine years. The
29 general assembly shall publish such reports on the general
30 assembly's internet site.

31 The bill directs the president of the senate and the speaker
32 of the house of representatives to refer reports submitted
33 pursuant to the bill to the appropriate standing committees
34 of the general assembly for review. The bill authorizes a
35 standing committee to sponsor a joint resolution to approve a

1 designated rule as provided in the bill.

2 The bill authorizes the general assembly to approve a
3 designated rule by joint resolution. Such a resolution may
4 include more than one designated rule and designated rules from
5 more than one agency.

6 The bill provides that a designated rule is void upon the
7 adjournment of the next regular session of the general assembly
8 following the submission of a report that designates the rule
9 if the rule has not been approved by joint resolution pursuant
10 to the bill. The bill prohibits an agency from adopting a rule
11 in the same or a substantially similar form to a rule that has
12 become void pursuant to the bill unless specifically authorized
13 by a provision of law.

14 The bill authorizes the general assembly to defer action on
15 approval of a designated rule until the next regular session of
16 the general assembly by joint resolution. Such a resolution
17 may include more than one designated rule and designated rules
18 from more than one agency. If action on a rule is deferred, the
19 rule is void upon the adjournment of the next regular session
20 of the general assembly following the deferral. The general
21 assembly may defer action on approval of a rule multiple times.

22 The bill directs the administrative code editor to remove
23 a designated rule from the Iowa administrative code that has
24 become void pursuant to the bill upon adjournment of a regular
25 session of the general assembly.

26 The bill directs the legislative services agency to provide
27 agencies with information regarding the Iowa administrative
28 code as necessary to facilitate the drafting of reports
29 pursuant to the bill.

30 The bill takes effect upon enactment.