

House File 645 - Introduced

HOUSE FILE 645
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 415)

A BILL FOR

1 An Act relating to interpretation of law in administrative and
2 judicial proceedings under the Iowa administrative procedure
3 Act.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 17A.19, subsection 10, paragraph c, Code
2 2023, is amended to read as follows:

3 c. Based upon an erroneous interpretation of a provision
4 of law ~~whose interpretation has not clearly been vested by a~~
5 ~~provision of law in the discretion of the agency.~~

6 Sec. 2. Section 17A.19, subsection 10, paragraph 1, Code
7 2023, is amended by striking the paragraph.

8 Sec. 3. Section 17A.19, subsection 11, Code 2023, is amended
9 by striking the subsection.

10 Sec. 4. Section 17A.23, Code 2023, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 5. Notwithstanding any provision of the
13 Code to the contrary, a court, or a presiding officer in a
14 contested case or other administrative action subject to this
15 chapter, when interpreting a state statute or a rule or other
16 agency document subject to this chapter, shall not defer to
17 an agency's interpretation of the statute, rule, or document,
18 and must instead interpret its meaning and effect de novo.
19 In an action brought by or against an agency, the court or
20 officer, after applying all customary tools of interpretation,
21 must exercise any remaining doubt in favor of a reasonable
22 interpretation that limits agency authority.

23 EXPLANATION

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

26 This bill concerns the interpretation of law in
27 administrative and judicial proceedings under Code chapter 17A,
28 the Iowa administrative procedure Act.

29 Under current law, a court must reverse, modify, or grant
30 other appropriate relief from agency action in specified
31 circumstances if it determines that substantial rights of the
32 person seeking relief have been prejudiced. Such circumstances
33 include agency action based upon an irrational, illogical,
34 or wholly unjustifiable interpretation of a provision of law
35 whose interpretation has clearly been vested by a provision

1 of law in the discretion of the agency. If interpretation
2 of the provision of law has not been clearly vested in the
3 discretion of the agency, the standard of review is instead
4 whether the agency's interpretation is erroneous. Current law
5 also provides guidance to a court regarding the determination
6 of the degree of deference to be given to the view of an agency,
7 based on whether a provision of law has vested the agency with
8 discretion over the matter in question. The bill strikes these
9 provisions and instead provides that a court must reverse,
10 modify, or grant other appropriate relief from agency action
11 based upon an erroneous interpretation of a provision of law.

12 The bill additionally prohibits a court, or a presiding
13 officer in a contested case or other administrative action
14 subject to Code chapter 17A, when interpreting a state statute
15 or a rule or other agency document subject to Code chapter 17A,
16 from deferring to an agency's interpretation of the statute,
17 rule, or document, and instead requires the court or officer to
18 interpret its meaning and effect de novo. The bill requires
19 the court or officer, in an action brought by or against an
20 agency, after applying all customary tools of interpretation,
21 to exercise any remaining doubt in favor of a reasonable
22 interpretation that limits agency authority.