

## House File 2413 - Introduced

HOUSE FILE 2413

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### A BILL FOR

1 An Act relating to executive branch functions, including  
2 ratification of major administrative rules and certain other  
3 actions, other matters relating to the state rulemaking  
4 process, and terms of service of certain appointed members of  
5 certain boards, and including applicability provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

RATIFICATION OF MAJOR RULES

Section 1. Section 17A.2, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. "Major rule" means a rule that does any of the following:

a. Requires annual expenditures of at least two hundred thousand dollars, or combined expenditures of at least one million dollars within five years, by all affected persons including the agency itself. An express appropriation of funds enacted by the general assembly shall not be considered an expenditure for purposes of this paragraph.

b. Has significant adverse effects on competition, employment, investment, productivity, or innovation, including significant adverse effects on individual industries or regions.

c. Amends the state implementation plan under section 110 of the federal Clean Air Act as amended through January 1, 1991.

Sec. 2. Section 17A.4, subsection 1, paragraph a, Code 2026, is amended to read as follows:

a. Give notice of ~~its~~ the agency's intended action by submitting the notice to the administrative rules coordinator and the administrative code editor. The administrative rules coordinator shall assign an ARC number to each rulemaking document. The administrative code editor shall publish each notice meeting the requirements of this chapter in the Iowa administrative bulletin created pursuant to section 2B.5A. ~~The legislative services agency shall provide the chairpersons and ranking members of the appropriate standing committees of the general assembly a means to receive an electronic copy of the notice for additional study. Any~~ A notice of intended action shall be published at least thirty-five days in advance of the action. The notice shall include ~~a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the~~ all of the following:

(1) The text of the proposed rule.

1     (2) The time when, the place where, and the manner in which  
2 interested persons may present their views.

3     (3) A concise description of the purpose and summary of the  
4 proposed rule.

5     (4) A classification stating whether the proposed rule is a  
6 major rule and an explanation for the agency's classification.  
7 The classification shall encompass all rulemaking actions  
8 included in the notice and shall expressly and unambiguously  
9 state whether the proposed rule is a major rule.

10    (5) A list of all other related regulatory actions by the  
11 agency intended to implement the same statutory provision or  
12 regulatory objective, as well as the individual and aggregate  
13 economic effects of those actions.

14    (6) The tentative effective date of the proposed rule.

15    Sec. 3. Section 17A.4A, subsection 2, paragraph a, Code 2026,  
16 is amended to read as follows:

17    a. The regulatory analysis must contain all of the following:

18    (1) A description of the classes of persons who probably will  
19 be affected by the proposed rule, including classes that will  
20 bear the costs of the proposed rule and classes that will benefit  
21 from the proposed rule.

22    (2) A description of the probable quantitative and  
23 qualitative impact of the proposed rule, economic or otherwise,  
24 upon affected classes of persons, including a description of the  
25 nature and amount of all of the different kinds of costs that  
26 would be incurred in complying with the proposed rule.

27    (3) The probable costs to the agency and to any other agency  
28 of the implementation and enforcement of the proposed rule and  
29 any anticipated effect on state revenues.

30    (4) A comparison of the probable costs and benefits of the  
31 proposed rule to the probable costs and benefits of inaction.  
32 The comparison shall include all of the following:

33    (a) The estimated primary or direct benefits of the proposed  
34 rule.

35    (b) The estimated cost savings or financial benefits to

1 society of the proposed rule.

2 (c) The estimated compliance costs to be incurred by entities  
3 subject to regulation by the proposed rule.

4 (d) The estimated secondary or indirect costs of the proposed  
5 rule.

6 (e) The estimated opportunity cost of the proposed rule. The  
7 comparison must identify the opportunity cost of compliance with  
8 the proposed rule resulting from the potential exit of private  
9 capital from the market due to the proposed rule.

10 (5) A determination of whether less costly methods or less  
11 intrusive methods exist for achieving the purpose of the proposed  
12 rule.

13 (6) A description of any alternative methods for achieving  
14 the purpose of the proposed rule that were seriously considered  
15 by the agency and the reasons why they were rejected in favor of  
16 the proposed rule.

17 (7) A description of any actions taken by the agency to  
18 minimize the cost and impact of the rule on regulated entities.

19 (8) The legal authority for the proposed rule.

20 (9) All sources consulted by the agency during formulation of  
21 the proposed rule.

22 (10) All key assumptions made by the agency during  
23 formulation of the proposed rule.

24 (11) All sources of uncertainty identified by the agency  
25 regarding the most effective and economical means of achieving  
26 the purposes of the proposed rule.

27 (12) A statement of the need for the proposed rule as  
28 determined by the agency.

29 (13) A classification stating whether the proposed rule is a  
30 major rule and an explanation for the agency's classification.  
31 The classification shall encompass all rulemaking actions  
32 included in the regulatory analysis and shall expressly and  
33 unambiguously state whether the proposed rule is a major rule.

34 **Sec. 4. NEW SECTION. 17A.4C Legislative regulatory**  
35 **analysis.**

1     1.   a.   Upon receipt of the notice of an agency's intended  
2 action under section 17A.4, subsection 1, paragraph "a", or an  
3 adopted rule under section 17A.5, the legislative services agency  
4 shall conduct a legislative regulatory analysis of a proposed or  
5 adopted rule classified by the proposing or adopting agency as a  
6 major rule.

7     b.   The regulatory analysis must contain all of the following:

8       (1)   A summary of the rule.

9       (2)   The state or federal law implemented by the rule.

10      (3)   A review of any actions taken by the agency to minimize  
11 the cost and impact of the rule on regulated entities.

12      (4)   An evaluation of the costs of the rule, including all of  
13 the following:

14       (a)   The estimated implementation and compliance costs of the  
15 rule to be incurred by regulated entities, which shall include  
16 both initial and ongoing costs.

17       (b)   The number or estimated number of regulated entities  
18 in the state affected by the rule, and an estimate based  
19 on available regulatory history, of how many newly regulated  
20 entities may be affected or deterred by the costs of the rule  
21 each year.

22       (c)   Information on specific industries or regions of the  
23 state that may be affected by the rule, if applicable.

24       (d)   Estimated effects of the rule on state revenue.

25       (e)   Estimated effects of the rule on state expenditures  
26 including estimated administrative expenses.

27      (5)   All sources consulted by the legislative services agency  
28 during formulation of the regulatory analysis.

29      (6)   All key assumptions made by the legislative services  
30 agency during formulation of the regulatory analysis.

31      (7)   All sources of uncertainty identified by the legislative  
32 services agency regarding the determinations made in the  
33 regulatory analysis.

34     c.   The legislative services agency shall submit a  
35 report including the legislative regulatory analysis to the

1 administrative code editor, who shall publish it in the Iowa  
2 administrative bulletin, and the administrative rules review  
3 committee. The report shall include an assessment of whether  
4 the agency's rulemaking process complied with the requirements  
5 of this chapter governing major rules, and an assessment of  
6 whether the major rule imposes any new limits or mandates on  
7 private-sector activity.

8 d. An agency shall not adopt a rule classified as a major  
9 rule pursuant to section 17A.4, subsection 1, paragraph "a", less  
10 than thirty-five days after the report required by paragraph "c"  
11 is published in the Iowa administrative bulletin.

12 2. To the extent resources are available, the legislative  
13 services agency shall conduct legislative regulatory analyses of  
14 specified existing rules and proposed or adopted rules that are  
15 not major rules when requested by a chair or ranking member of  
16 a standing committee of the general assembly relating to matters  
17 within the committee's jurisdiction. The legislative services  
18 agency shall undertake such reviews in the order requested unless  
19 directed otherwise by the legislative council.

20 3. The legislative services agency may request information  
21 relevant to a legislative regulatory analysis from an agency.  
22 The agency shall promptly comply with such a request.

23 Sec. 5. Section 17A.5, subsection 2, Code 2026, is amended by  
24 adding the following new paragraph:

25 NEW PARAGRAPH. c. The effective date of a major rule,  
26 including a rule filed under paragraph "b", shall be subject to  
27 section 17A.5A.

28 Sec. 6. Section 17A.5, Code 2026, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 3. An adopted rule shall include an updated  
31 classification stating whether the rule is a major rule if  
32 the classification differs from that included in the notice  
33 of intended action pursuant to section 17A.4, subsection 1,  
34 paragraph "a". The updated classification shall include the  
35 information required by section 17A.4, subsection 1, paragraph

1 "a", subparagraph (4), as well as an explanation for the change  
2 in classification.

3 Sec. 7. NEW SECTION. **17A.5A Ratification of major rules.**

4 1. Except as provided in subsection 2, a major rule shall not  
5 become effective until it is ratified by the general assembly. A  
6 major rule that is not ratified shall not become effective. The  
7 general assembly may ratify a major rule by passage of a joint  
8 resolution that requires approval of the governor.

9 2. a. If the governor determines that a major rule must  
10 become effective while the general assembly is not in session,  
11 the governor may request temporary approval of the major rule  
12 by the legislative council. The governor shall only make such  
13 a request if federal law, a condition of federal funding, or  
14 response to a state of disaster emergency proclaimed by the  
15 governor pursuant to section 29C.6 requires that the major rule  
16 become effective while the general assembly is not in session.  
17 The major rule shall become effective upon temporary approval by  
18 the legislative council. If a major rule is so approved, the  
19 governor shall submit a statement for publication in the Iowa  
20 administrative bulletin explaining why federal law, a condition  
21 of federal funding, or response to a state of disaster emergency  
22 requires the rule to become effective while the general assembly  
23 is not in session.

24 b. A major rule temporarily approved by the legislative  
25 council pursuant to paragraph "a" shall cease to be effective  
26 upon the adjournment of the next regular session of the general  
27 assembly following the effective date of the major rule unless  
28 the general assembly ratifies the rule pursuant to subsection 1  
29 before adjournment. The administrative code editor shall publish  
30 a notice that the rule has ceased to be effective in the Iowa  
31 administrative bulletin. As soon as practicable, but no sooner  
32 than two weeks after such publication, the administrative code  
33 editor shall remove the major rule from the Iowa administrative  
34 code.

35 3. When the administrative code editor publishes a major

1 rule adopted in accordance with this chapter in the Iowa  
2 administrative code, the administrative code editor shall include  
3 a notice with the rule indicating whether the major rule has  
4 been ratified by the general assembly or temporarily approved  
5 by the legislative council. If the major rule is ratified  
6 or temporarily approved subsequent to the publication, the  
7 administrative code editor shall update the notice accordingly.

8     4. An agency may submit a notice of rescission that rescinds  
9 a major rule that has not been ratified by the general assembly  
10 to the administrative rules coordinator and the administrative  
11 code editor for publication in the Iowa administrative bulletin.  
12 Upon publication of the notice of rescission, if the major rule  
13 has not already been ratified, the major rule is rescinded and  
14 shall not become effective. If the rule has been temporarily  
15 approved pursuant to subsection 2, paragraph "a", and not  
16 ratified, the rule shall cease to be effective. In either case,  
17 as soon as practicable, but no sooner than two weeks after such  
18 publication, the administrative code editor shall remove the  
19 major rule from the Iowa administrative code.

20     5. a. An agency may engage in additional rulemaking that  
21 amends a major rule that has not been ratified by the general  
22 assembly. An agency's classification stating whether the  
23 additional rulemaking is a major rule shall also expressly and  
24 unambiguously state whether the major rule being amended remains  
25 a major rule after the amendment, and include an explanation for  
26 the agency's determination.

27     b. If the additional rulemaking is not itself a major rule,  
28 and if the result of the additional rulemaking is that the major  
29 rule that has not been ratified no longer meets the definition  
30 of a major rule, the former major rule shall be considered part  
31 of the additional rulemaking and shall have the same effective  
32 date as the additional rulemaking. If the former major rule has  
33 been temporarily approved, the former major rule shall remain  
34 in effect until either the effective date of the additional  
35 rulemaking or the former major rule ceases to be effective

1 pursuant to subsection 2, paragraph "b", whichever is sooner.

2     c. If the additional rulemaking is not itself a major rule,  
3 and if the result of the additional rulemaking is that the major  
4 rule that has not been ratified still meets the definition of a  
5 major rule, the additional rulemaking shall be considered part  
6 of the major rule and shall have the same effective date as the  
7 major rule. If the major rule has been temporarily approved  
8 and has not ceased to be effective pursuant to subsection 2,  
9 paragraph "b", the additional rulemaking shall become effective  
10 on the date specified in the additional rulemaking pursuant to  
11 section 17A.5 and shall be considered part of the major rule. If  
12 the major rule has ceased to be effective pursuant to subsection  
13 2, paragraph "b", the additional rulemaking shall not become  
14 effective and the administrative code editor shall publish notice  
15 in the Iowa administrative bulletin and remove the additional  
16 rulemaking from the Iowa administrative code as provided in  
17 subsection 2, paragraph "b".

18     d. If the additional rulemaking is itself a major rule,  
19 and the first major rule has not been ratified or temporarily  
20 approved, the first major rule shall be considered part of  
21 the additional rulemaking and shall only become effective when  
22 the additional rulemaking is ratified or temporarily approved.  
23 If the first major rule has not been ratified but has been  
24 temporarily approved, whichever of the following occurs first  
25 shall apply:

26     (1) The first major rule ceases to be effective pursuant to  
27 subsection 2, paragraph "b".

28     (2) The additional rulemaking is ratified or temporarily  
29 approved, in which case the first major rule shall be considered  
30 part of the additional rulemaking and shall have the same  
31 effective date as the additional rulemaking.

32     6. If the effective date of a major rule is subject to delay  
33 by the administrative rules review committee pursuant to section  
34 17A.8, subsection 9 or 10, and the major rule is ratified or  
35 temporarily approved during the period of the delay, the major

1 rule shall not become effective until the conclusion of the  
2 period of the delay. If the period of such a delay concludes  
3 and the major rule has not been ratified or temporarily approved,  
4 the major rule shall not become effective until it is ratified or  
5 temporarily approved.

6 Sec. 8. Section 17A.6, subsection 2, Code 2026, is amended to  
7 read as follows:

8 2. The administrative code editor shall publish the Iowa  
9 administrative bulletin and the Iowa administrative code as  
10 provided in section 2B.5A. The legislative services agency shall  
11 provide the members and staff of the general assembly a means to  
12 receive an electronic copy of the Iowa administrative bulletin  
13 and rulemaking documents published therein.

14 Sec. 9. Section 17A.8, subsection 6, Code 2026, is amended to  
15 read as follows:

16 6. The committee shall meet for the purpose of selectively  
17 reviewing rules, whether proposed or in effect. The committee  
18 shall review a notice of intended action classified as a major  
19 rule pursuant to section 17A.4, subsection 1, paragraph "a",  
20 before the earliest date on which the proposed rule could  
21 be adopted pursuant to that paragraph. A regular or special  
22 committee meeting shall be open to the public and an interested  
23 person may be heard and present evidence. The committee may  
24 require a representative of an agency whose rule or proposed rule  
25 is under consideration to attend a committee meeting.

26 Sec. 10. NEW SECTION. **17A.19A Judicial review — major**  
27 **rules.**

28 1. In addition to any other action permitted under section  
29 17A.19, an aggrieved or adversely affected person or party may  
30 bring an action in district court concerning a major rule.  
31 The district court shall have jurisdiction to do all of the  
32 following:

33 a. Engage in de novo review of whether a rule is a major  
34 rule.

35 b. Determine whether an agency, the general assembly, the

1 legislative council, or the governor completed the requirements  
2 for a major rule to become effective.

3     c. Determine when or if a rule alleged to be a major rule  
4 became effective.

5     2. The ratification of a major rule by the general assembly  
6 shall not do any of the following:

7     a. Extinguish or otherwise affect any legal claim, whether  
8 substantive or procedural, concerning any alleged legal defect of  
9 the major rule.

10    b. Be construed as a grant or modification of statutory  
11 authority by the general assembly for the adoption of the major  
12 rule.

13    c. Be part of the record before the district court in any  
14 judicial proceeding concerning a major rule except for purposes  
15 of a proceeding under subsection 1.

16    Sec. 11. APPLICABILITY. This division of this Act applies  
17 to rulemaking commencing with a regulatory analysis pursuant to  
18 section 17A.4A, as amended by this Act, published in the Iowa  
19 administrative bulletin on or after July 1, 2027, or with a rule  
20 adopted under section 17A.4, subsection 3, on or after July 1,  
21 2027.

22                                   DIVISION II

23   RATIFICATION OF PROPOSED AMENDMENTS TO STATE IMPLEMENTATION PLAN

24                   — FEDERAL CLEAN AIR ACT

25    Sec. 12. Section 455B.133, subsection 2, Code 2026, is  
26 amended to read as follows:

27    2. a. Adopt, amend, or repeal rules pertaining to the  
28 evaluation, abatement, control, and prevention of air pollution.  
29 The rules may include those that are necessary to obtain approval  
30 of the state implementation plan under section 110 of the federal  
31 Clean Air Act as amended through January 1, 1991. The commission  
32 is not required to adopt rules that use air dispersion modeling  
33 for a minor source or minor modification of a major stationary  
34 source unless modeling is specifically required by the federal  
35 Clean Air Act as amended through January 1, 1991, or a federal or

1 state agreement.

2 b. A proposal to amend the state implementation plan under  
 3 section 110 of the federal Clean Air Act as amended through  
 4 January 1, 1991, shall not be submitted for federal approval  
 5 until it is ratified by the general assembly. A proposal that  
 6 is not ratified shall not be submitted for federal approval.  
 7 The general assembly may ratify a proposal by passage of a joint  
 8 resolution that requires approval of the governor.

9 DIVISION III

10 EXECUTIVE BRANCH BOARDS — TERMS OF OFFICE

11 Sec. 13. Section 16.2, subsection 2, Code 2026, is amended to  
 12 read as follows:

13 2. a. The members of the authority appointed by the governor  
 14 on or before June 30, 2026, shall serve for staggered terms of  
 15 six years beginning and ending as provided in section 69.19.

16 b. The members of the authority appointed by the governor on  
 17 or after July 1, 2026, shall serve for staggered terms of four  
 18 years beginning and ending as provided in section 69.19.

19 c. A person appointed by the governor to fill a vacancy shall  
 20 serve only for the unexpired portion of the term. A member  
 21 is eligible for reappointment. The ex officio voting member  
 22 designated by the agricultural development board shall serve at  
 23 the pleasure of that board. A member of the authority may be  
 24 removed from office by the governor for misfeasance, malfeasance,  
 25 or willful neglect of duty or other just cause, after notice and  
 26 hearing, unless the notice and hearing is expressly waived in  
 27 writing.

28 Sec. 14. Section 16.2C, subsection 4, paragraph c, Code 2026,  
 29 is amended to read as follows:

30 c. (1) Members appointed on or before June 30, 2026, shall  
 31 serve for staggered terms of six years beginning and ending as  
 32 provided in section 69.19.

33 (2) Members appointed on or after July 1, 2026, shall serve  
 34 for staggered terms of four years beginning and ending as  
 35 provided in section 69.19.

1     (3) A person appointed to fill a vacancy shall serve only  
2 for the unexpired portion of the member's term. A member is  
3 eligible for reappointment. An appointed member may be removed  
4 from office by the governor for misfeasance, malfeasance, willful  
5 neglect of duty, or other just cause, after notice and hearing,  
6 unless the notice and hearing is expressly waived in writing.

7     Sec. 15. Section 52.4, subsection 1, Code 2026, is amended to  
8 read as follows:

9     1. The state commissioner of elections shall appoint three  
10 members to a board of examiners for voting systems, not more  
11 than two of whom shall be from the same political party.  
12 ~~The examiners~~ Examiners appointed on or before June 30, 2026,  
13 shall hold office for staggered terms of six years, subject to  
14 removal at the pleasure of the state commissioner of elections.  
15 Examiners appointed on or after July 1, 2026, shall hold office  
16 for staggered terms of four years beginning and ending as  
17 provided in section 69.19, subject to removal at the pleasure of  
18 the state commissioner of elections.

19     Sec. 16. Section 97B.8A, subsection 4, paragraph d, Code  
20 2026, is amended to read as follows:

21     d. (1) The appointive terms of the members appointed by the  
22 governor on or before June 30, 2026, are for a period of six  
23 years beginning and ending as provided in section 69.19.

24     (2) The appointive terms of the members appointed by the  
25 governor on or after July 1, 2026, are for a period of four years  
26 beginning and ending as provided in section 69.19.

27     (3) If there is a vacancy in the membership of the board for  
28 one of the members appointed by the governor, the governor has  
29 the power of appointment. Gubernatorial appointees to this board  
30 are subject to confirmation by the senate.

31     Sec. 17. Section 256.3, subsection 3, Code 2026, is amended  
32 to read as follows:

33     3. a. The terms of office for voting members appointed on or  
34 before June 30, 2026, are for six years beginning and ending as  
35 provided in section 69.19.

1     b. The terms of office for voting members appointed on or  
2 after July 1, 2026, are for four years beginning and ending as  
3 provided in section 69.19.

4     Sec. 18. Section 262.2, Code 2026, is amended to read as  
5 follows:

6     **262.2 Appointment — term of office.**

7     1. The members shall be appointed by the governor subject to  
8 confirmation by the senate. Prior to appointing the ninth member  
9 as specified in section 262.1, the governor shall consult with  
10 the appropriate student body government at the institution at  
11 which the proposed appointee is enrolled.

12     2. Subject to subsection 3:

13     a. The term of each member of the board appointed on or  
14 before June 30, 2026, shall be for six years, unless.

15     b. The term of each member of the board appointed on or after  
16 July 1, 2026, shall be for four years.

17     3. If the ninth member, appointed in accordance with section  
18 262.1, graduates or is no longer enrolled at an institution of  
19 higher education under the board's control more than one year  
20 before the expiration of the term, at which time the term of the  
21 ninth member shall expire one year from the date on which the  
22 member graduates or is no longer enrolled in an institution of  
23 higher education under the board's control. However, if within  
24 that year the ninth member reenrolls in any institution of higher  
25 education under the board's control on a full-time basis and is a  
26 student in good standing at either the graduate or undergraduate  
27 level, the term of the ninth member shall continue in effect.

28     4. The terms of three members of the board shall begin and  
29 expire in each odd-numbered year as provided in section 69.19.

30                     EXPLANATION

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

33     This bill relates to executive branch functions, including  
34 ratification of major administrative rules and certain other  
35 actions, other matters relating to the state rulemaking process,

1 and terms of service of certain appointed members of certain  
2 boards.

3     RATIFICATION OF MAJOR RULES. The bill provides for  
4 ratification of major administrative rules and other matters  
5 relating to the executive branch rulemaking process.

6     The bill defines "major rule" as a rule that does at least  
7 one of three things. A major rule requires annual expenditures  
8 of at least \$200,000 or combined expenditures of at least \$1  
9 million within five years by all affected persons including the  
10 agency itself. An express appropriation of funds enacted by the  
11 general assembly shall not be considered an expenditure. A major  
12 rule has significant adverse effects on competition, employment,  
13 investment, productivity, or innovation, including significant  
14 adverse effects on individual industries or regions. Finally, a  
15 major rule amends the state implementation plan under section 110  
16 of the federal Clean Air Act as amended through January 1, 1991.

17     The bill provides that a major rule shall not become effective  
18 until it is ratified by the general assembly. The bill  
19 authorizes the general assembly to ratify a major rule by passage  
20 of a joint resolution that requires approval of the governor.

21     The bill authorizes the governor to request temporary approval  
22 of a major rule by the legislative council if the governor  
23 determines that a major rule must become effective while the  
24 general assembly is not in session. The governor shall only make  
25 such a request if federal law, a condition of federal funding,  
26 or response to a state of disaster emergency proclaimed by the  
27 governor requires that the major rule become effective while the  
28 general assembly is not in session. The major rule shall become  
29 effective upon temporary approval by the legislative council. If  
30 a major rule is so approved, the governor must submit a statement  
31 for publication in the Iowa administrative bulletin explaining  
32 why federal law, a condition of federal funding, or response to a  
33 state of disaster emergency requires the rule to become effective  
34 while the general assembly is not in session.

35     The bill provides that a major rule temporarily approved

1 by the legislative council shall cease to be effective upon  
2 the adjournment of the next regular session of the general  
3 assembly following the effective date of the major rule unless  
4 the general assembly ratifies the rule as provided in the bill  
5 before adjournment.

6 The bill provides procedures for an agency to rescind a  
7 major rule that has not been ratified and to engage in further  
8 rulemaking relating to a major rule that has not been ratified.

9 The bill requires an agency to classify whether a proposed  
10 or adopted rule is a major rule at each of the three stages  
11 of the rulemaking process (regulatory analysis, notice of  
12 intended action, and adoption). The agency must include an  
13 explanation for the agency's classification. The classification  
14 must encompass all rulemaking actions included in a rulemaking  
15 document and expressly and unambiguously state whether the rule  
16 is a major rule.

17 The bill requires the legislative services agency to conduct  
18 a legislative regulatory analysis of each notice of intended  
19 action and adoption classified by an agency as a major rule.  
20 The bill specifies the content of the legislative regulatory  
21 analysis. The bill requires the legislative services agency to  
22 submit a report including the legislative regulatory analysis  
23 for publication in the Iowa administrative bulletin and to  
24 the administrative rules review committee. The report shall  
25 include an assessment of whether the agency's rulemaking process  
26 complied with the requirements of Code chapter 17A governing  
27 major rules and an assessment of whether the major rule imposes  
28 any new limits or mandates on private-sector activity. The bill  
29 prohibits adoption of a notice of intended action classified as a  
30 major rule less than 35 days after the report is published.

31 The bill requires the legislative services agency, to the  
32 extent resources are available, to conduct legislative regulatory  
33 analyses of existing rules and proposed or adopted rules that are  
34 not major rules when requested by a chair or ranking member of a  
35 standing committee of the general assembly.

1 The bill requires agencies to promptly comply with requests  
2 for information relevant to a legislative regulatory analysis  
3 from the legislative services agency.

4 The bill requires the administrative rules review committee to  
5 review a notice of intended action classified as a major rule  
6 before the earliest date on which the proposed rule could be  
7 adopted.

8 The bill authorizes an aggrieved or adversely affected person  
9 or party to bring an action in district court concerning a  
10 major rule. The bill provides that the district court shall  
11 have jurisdiction to engage in de novo review of whether a  
12 rule is a major rule; determine whether an agency, the general  
13 assembly, the legislative council, or the governor completed the  
14 requirements for a major rule to become effective; and determine  
15 when or if a rule alleged to be a major rule became effective.

16 The bill provides that ratification of a major rule shall not  
17 extinguish or otherwise affect any legal claim concerning any  
18 alleged legal defect of the major rule, be construed as a grant  
19 or modification of statutory authority by the general assembly  
20 for the adoption of the major rule, or be part of the record  
21 before the district court in any judicial proceeding concerning a  
22 major rule except for purposes of a proceeding authorized by the  
23 bill.

24 The bill requires that rulemaking documents include additional  
25 specified information such as related regulatory actions by the  
26 agency, more detailed comparisons of costs and benefits of the  
27 rule, sources consulted by the agency, key assumptions made by  
28 the agency, and sources of uncertainty identified by the agency.

29 This division of the bill applies to rulemaking commencing  
30 with a regulatory analysis published in the Iowa administrative  
31 bulletin on or after July 1, 2027, or with a rule adopted under  
32 Code section 17A.4, subsection 3 (emergency rule), on or after  
33 July 1, 2027.

34 RATIFICATION OF PROPOSED AMENDMENTS TO STATE IMPLEMENTATION  
35 PLAN — FEDERAL CLEAN AIR ACT. The bill provides that a proposal

1 to amend the state implementation plan under section 110 of  
2 the federal Clean Air Act shall not be submitted for federal  
3 approval until it is ratified by the general assembly. The  
4 bill authorizes the general assembly to ratify such a proposal  
5 by passage of a joint resolution that requires approval of the  
6 governor.

7 EXECUTIVE BRANCH BOARDS — TERMS OF OFFICE. The bill changes  
8 the terms of service for members of the Iowa finance authority  
9 board of directors, agricultural development board, board of  
10 examiners for voting systems, investment board of the Iowa public  
11 employees' retirement system, state board of education, and state  
12 board of regents from six years to four years. This change in  
13 terms of service applies to members appointed by the governor on  
14 or after July 1, 2026.