

Senate File 2395 - Introduced

SENATE FILE 2395
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SF 2314)

(COMPANION TO HF 2413 BY WILLS)

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:

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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.

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DIVISION III

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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.

unofficial