

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
5 of 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

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

5 NEW SUBSECTION. 7A. *“Major rule”* means a rule that does any
6 of the following:

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

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

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

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

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

1 (1) The text of the proposed rule.

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

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

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

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

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

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

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

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

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

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

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

35 (a) The estimated primary or direct benefits of the proposed

1 rule.

2 (b) The estimated cost savings or financial benefits to
3 society of the proposed rule.

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

6 (d) The estimated secondary or indirect costs of the
7 proposed rule.

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

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

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

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

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

22 (9) All sources consulted by the agency during formulation
23 of the proposed rule.

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

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

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

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

1 Sec. 4. NEW SECTION. 17A.4C Legislative regulatory
2 analysis.

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

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

11 (1) A summary of the rule.

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

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

15 (4) An evaluation of the costs of the rule, including all
16 of the following:

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

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

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

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

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

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

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

34 (7) All sources of uncertainty identified by the
35 legislative services agency regarding the determinations made

1 in the regulatory analysis.

2 *c.* The legislative services agency shall submit a
3 report including the legislative regulatory analysis to the
4 administrative code editor, who shall publish it in the Iowa
5 administrative bulletin, and the administrative rules review
6 committee. The report shall include an assessment of whether
7 the agency's rulemaking process complied with the requirements
8 of this chapter governing major rules, and an assessment of
9 whether the major rule imposes any new limits or mandates on
10 private-sector activity.

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

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

23 3. The legislative services agency may request information
24 relevant to a legislative regulatory analysis from an agency.
25 The agency shall promptly comply with such a request.

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

28 NEW PARAGRAPH. *c.* The effective date of a major rule,
29 including a rule filed under paragraph "b", shall be subject to
30 section 17A.5A.

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

33 NEW SUBSECTION. 3. An adopted rule shall include an updated
34 classification stating whether the rule is a major rule if
35 the classification differs from that included in the notice

1 of intended action pursuant to section 17A.4, subsection 1,
2 paragraph "a". The updated classification shall include the
3 information required by section 17A.4, subsection 1, paragraph
4 "a", subparagraph (4), as well as an explanation for the change
5 in classification.

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

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

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

28 *b.* A major rule temporarily approved by the legislative
29 council pursuant to paragraph "a" shall cease to be effective
30 upon the adjournment of the next regular session of the general
31 assembly following the effective date of the major rule unless
32 the general assembly ratifies the rule pursuant to subsection
33 1 before adjournment. The administrative code editor shall
34 publish a notice that the rule has ceased to be effective in
35 the Iowa administrative bulletin. As soon as practicable,

1 but no sooner than two weeks after such publication, the
2 administrative code editor shall remove the major rule from the
3 Iowa administrative code.

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

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

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

32 b. If the additional rulemaking is not itself a major
33 rule, and if the result of the additional rulemaking is that
34 the major rule that has not been ratified no longer meets the
35 definition of a major rule, the former major rule shall be

1 considered part of the additional rulemaking and shall have
2 the same effective date as the additional rulemaking. If the
3 former major rule has been temporarily approved, the former
4 major rule shall remain in effect until either the effective
5 date of the additional rulemaking or the former major rule
6 ceases to be effective pursuant to subsection 2, paragraph "b",
7 whichever is sooner.

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

25 *d.* If the additional rulemaking is itself a major rule,
26 and the first major rule has not been ratified or temporarily
27 approved, the first major rule shall be considered part of the
28 additional rulemaking and shall only become effective when the
29 additional rulemaking is ratified or temporarily approved.
30 If the first major rule has not been ratified but has been
31 temporarily approved, whichever of the following occurs first
32 shall apply:

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

35 (2) The additional rulemaking is ratified or temporarily

1 approved, in which case the first major rule shall be
2 considered part of the additional rulemaking and shall have the
3 same effective date as the additional rulemaking.

4 6. If the effective date of a major rule is subject to
5 delay by the administrative rules review committee pursuant
6 to section 17A.8, subsection 9 or 10, and the major rule is
7 ratified or temporarily approved during the period of the
8 delay, the major rule shall not become effective until the
9 conclusion of the period of the delay. If the period of such
10 a delay concludes and the major rule has not been ratified or
11 temporarily approved, the major rule shall not become effective
12 until it is ratified or temporarily approved.

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

15 2. The administrative code editor shall publish the Iowa
16 administrative bulletin and the Iowa administrative code as
17 provided in [section 2B.5A](#). The legislative services agency
18 shall provide the members and staff of the general assembly a
19 means to receive an electronic copy of the Iowa administrative
20 bulletin and rulemaking documents published therein.

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

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

33 Sec. 10. NEW SECTION. **17A.19A Judicial review — major**
34 **rules.**

35 1. In addition to any other action permitted under section

1 17A.19, an aggrieved or adversely affected person or party may
2 bring an action in district court concerning a major rule.

3 The district court shall have jurisdiction to do all of the
4 following:

5 *a.* Engage in de novo review of whether a rule is a major
6 rule.

7 *b.* Determine whether an agency, the general assembly, the
8 legislative council, or the governor completed the requirements
9 for a major rule to become effective.

10 *c.* Determine when or if a rule alleged to be a major rule
11 became effective.

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

14 *a.* Extinguish or otherwise affect any legal claim, whether
15 substantive or procedural, concerning any alleged legal defect
16 of the major rule.

17 *b.* Be construed as a grant or modification of statutory
18 authority by the general assembly for the adoption of the major
19 rule.

20 *c.* Be part of the record before the district court in any
21 judicial proceeding concerning a major rule except for purposes
22 of a proceeding under subsection 1.

23 Sec. 11. APPLICABILITY. This division of this Act applies
24 to rulemaking commencing with a regulatory analysis pursuant
25 to section 17A.4A, as amended by this Act, published in the
26 Iowa administrative bulletin on or after July 1, 2027, or with
27 a rule adopted under section 17A.4, subsection 3, on or after
28 July 1, 2027.

29 DIVISION II

30 RATIFICATION OF PROPOSED AMENDMENTS TO STATE IMPLEMENTATION
31 PLAN — FEDERAL CLEAN AIR ACT

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

34 2. *a.* Adopt, amend, or repeal rules pertaining to
35 the evaluation, abatement, control, and prevention of air

1 pollution. The rules may include those that are necessary
 2 to obtain approval of the state implementation plan under
 3 section 110 of the federal Clean Air Act as amended through
 4 January 1, 1991. The commission is not required to adopt rules
 5 that use air dispersion modeling for a minor source or minor
 6 modification of a major stationary source unless modeling is
 7 specifically required by the federal Clean Air Act as amended
 8 through January 1, 1991, or a federal or state agreement.

9 b. A proposal to amend the state implementation plan under
 10 section 110 of the federal Clean Air Act as amended through
 11 January 1, 1991, shall not be submitted for federal approval
 12 until it is ratified by the general assembly. A proposal that
 13 is not ratified shall not be submitted for federal approval.
 14 The general assembly may ratify a proposal by passage of a
 15 joint resolution that requires approval of the governor.

16 DIVISION III

17 EXECUTIVE BRANCH BOARDS — TERMS OF OFFICE

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

20 2. a. The members of the authority appointed by the
 21 governor on or before June 30, 2026, shall serve for staggered
 22 terms of six years beginning and ending as provided in section
 23 69.19.

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

27 c. A person appointed by the governor to fill a vacancy
 28 shall serve only for the unexpired portion of the term. A
 29 member is eligible for reappointment. The ex officio voting
 30 member designated by the agricultural development board shall
 31 serve at the pleasure of that board. A member of the authority
 32 may be removed from office by the governor for misfeasance,
 33 malfeasance, or willful neglect of duty or other just cause,
 34 after notice and hearing, unless the notice and hearing is
 35 expressly waived in writing.

1 Sec. 14. Section 16.2C, subsection 4, paragraph c, Code
2 2026, is amended to read as follows:

3 c. (1) Members appointed on or before June 30, 2026, shall
4 serve for staggered terms of six years beginning and ending as
5 provided in [section 69.19](#).

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

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

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

18 1. The state commissioner of elections shall appoint three
19 members to a board of examiners for voting systems, not more
20 than two of whom shall be from the same political party. ~~The~~
21 ~~examiners~~ Examiners appointed on or before June 30, 2026,
22 shall hold office for staggered terms of six years, subject to
23 removal at the pleasure of the state commissioner of elections.
24 Examiners appointed on or after July 1, 2026, shall hold office
25 for staggered terms of four years beginning and ending as
26 provided in section 69.19, subject to removal at the pleasure
27 of the state commissioner of elections.

28 Sec. 16. Section 97B.8A, subsection 4, paragraph d, Code
29 2026, is amended to read as follows:

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

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

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

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

7 3. a. The terms of office for voting members appointed on
8 or before June 30, 2026, are for six years beginning and ending
9 as provided in [section 69.19](#).

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

13 Sec. 18. Section 262.2, Code 2026, is amended to read as
14 follows:

15 **262.2 Appointment — term of office.**

16 1. The members shall be appointed by the governor subject
17 to confirmation by the senate. Prior to appointing the ninth
18 member as specified in [section 262.1](#), the governor shall
19 consult with the appropriate student body government at the
20 institution at which the proposed appointee is enrolled.

21 2. Subject to subsection 3:

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

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

26 3. If the ninth member, appointed in accordance with section
27 262.1, graduates or is no longer enrolled at an institution of
28 higher education under the board's control more than one year
29 before the expiration of the term, ~~at which time~~ the term of
30 the ninth member shall expire one year from the date on which
31 the member graduates or is no longer enrolled in an institution
32 of higher education under the board's control. However, if
33 within that year the ninth member reenrolls in any institution
34 of higher education under the board's control on a full-time
35 basis and is a student in good standing at either the graduate

1 or undergraduate level, the term of the ninth member shall
2 continue in effect.

3 4. The terms of three members of the board shall begin and
4 expire in each odd-numbered year as provided in [section 69.19](#).

5 EXPLANATION

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

8 This bill relates to executive branch functions, including
9 ratification of major administrative rules and certain other
10 actions, other matters relating to the state rulemaking
11 process, and terms of service of certain appointed members of
12 certain boards.

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

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

28 The bill provides that a major rule shall not become
29 effective until it is ratified by the general assembly. The
30 bill authorizes the general assembly to ratify a major rule by
31 passage of a joint resolution that requires approval of the
32 governor.

33 The bill authorizes the governor to request temporary
34 approval of a major rule by the legislative council if the
35 governor determines that a major rule must become effective

1 while the general assembly is not in session. The governor
2 shall only make such a request if federal law, a condition of
3 federal funding, or response to a state of disaster emergency
4 proclaimed by the governor requires that the major rule become
5 effective while the general assembly is not in session. The
6 major rule shall become effective upon temporary approval by
7 the legislative council. If a major rule is so approved,
8 the governor must submit a statement for publication in the
9 Iowa administrative bulletin explaining why federal law,
10 a condition of federal funding, or response to a state of
11 disaster emergency requires the rule to become effective while
12 the general assembly is not in session.

13 The bill provides that a major rule temporarily approved
14 by the legislative council shall cease to be effective upon
15 the adjournment of the next regular session of the general
16 assembly following the effective date of the major rule unless
17 the general assembly ratifies the rule as provided in the bill
18 before adjournment.

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

22 The bill requires an agency to classify whether a proposed
23 or adopted rule is a major rule at each of the three stages of
24 the rulemaking process (regulatory analysis, notice of intended
25 action, and adoption). The agency must include an explanation
26 for the agency's classification. The classification must
27 encompass all rulemaking actions included in a rulemaking
28 document and expressly and unambiguously state whether the rule
29 is a major rule.

30 The bill requires the legislative services agency to conduct
31 a legislative regulatory analysis of each notice of intended
32 action and adoption classified by an agency as a major rule.
33 The bill specifies the content of the legislative regulatory
34 analysis. The bill requires the legislative services agency to
35 submit a report including the legislative regulatory analysis

1 for publication in the Iowa administrative bulletin and to
2 the administrative rules review committee. The report shall
3 include an assessment of whether the agency's rulemaking
4 process complied with the requirements of Code chapter 17A
5 governing major rules and an assessment of whether the major
6 rule imposes any new limits or mandates on private-sector
7 activity. The bill prohibits adoption of a notice of intended
8 action classified as a major rule less than 35 days after the
9 report is published.

10 The bill requires the legislative services agency, to
11 the extent resources are available, to conduct legislative
12 regulatory analyses of existing rules and proposed or adopted
13 rules that are not major rules when requested by a chair or
14 ranking member of a standing committee of the general assembly.

15 The bill requires agencies to promptly comply with requests
16 for information relevant to a legislative regulatory analysis
17 from the legislative services agency.

18 The bill requires the administrative rules review committee
19 to review a notice of intended action classified as a major
20 rule before the earliest date on which the proposed rule could
21 be adopted.

22 The bill authorizes an aggrieved or adversely affected
23 person or party to bring an action in district court concerning
24 a major rule. The bill provides that the district court shall
25 have jurisdiction to engage in de novo review of whether a
26 rule is a major rule; determine whether an agency, the general
27 assembly, the legislative council, or the governor completed
28 the requirements for a major rule to become effective; and
29 determine when or if a rule alleged to be a major rule became
30 effective.

31 The bill provides that ratification of a major rule shall not
32 extinguish or otherwise affect any legal claim concerning any
33 alleged legal defect of the major rule, be construed as a grant
34 or modification of statutory authority by the general assembly
35 for the adoption of the major rule, or be part of the record

1 before the district court in any judicial proceeding concerning
2 a major rule except for purposes of a proceeding authorized by
3 the bill.

4 The bill requires that rulemaking documents include
5 additional specified information such as related regulatory
6 actions by the agency, more detailed comparisons of costs and
7 benefits of the rule, sources consulted by the agency, key
8 assumptions made by the agency, and sources of uncertainty
9 identified by the agency.

10 This division of the bill applies to rulemaking commencing
11 with a regulatory analysis published in the Iowa administrative
12 bulletin on or after July 1, 2027, or with a rule adopted under
13 Code section 17A.4, subsection 3 (emergency rule), on or after
14 July 1, 2027.

15 **RATIFICATION OF PROPOSED AMENDMENTS TO STATE IMPLEMENTATION**
16 **PLAN — FEDERAL CLEAN AIR ACT.** The bill provides that a
17 proposal to amend the state implementation plan under section
18 110 of the federal Clean Air Act shall not be submitted for
19 federal approval until it is ratified by the general assembly.
20 The bill authorizes the general assembly to ratify such
21 a proposal by passage of a joint resolution that requires
22 approval of the governor.

23 **EXECUTIVE BRANCH BOARDS — TERMS OF OFFICE.** The bill changes
24 the terms of service for members of the Iowa finance authority
25 board of directors, agricultural development board, board of
26 examiners for voting systems, investment board of the Iowa
27 public employees' retirement system, state board of education,
28 and state board of regents from six years to four years. This
29 change in terms of service applies to members appointed by the
30 governor on or after July 1, 2026.