

**Senate File 2370 - Reprinted**

SENATE FILE 2370  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 3119)

(As Amended and Passed by the Senate March 4, 2024)

**A BILL FOR**

- 1 An Act concerning the executive branch rulemaking process and
- 2 other agency functions and related matters.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

RULEMAKING AND RELATED MATTERS

Section 1. Section 2B.5A, subsection 4, Code 2024, is amended by striking the subsection.

Sec. 2. Section 8A.206, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. Maintain, as an integral part of the law library, reports of various boards and agencies, copies of journals of the senate and house of representatives; electronic access to bills, journals, and other information relating to current or proposed legislation, copies of; and electronic access to the Iowa administrative bulletin and Iowa administrative code and, consistent with section 17A.6, subsection 3, copies of any publications incorporated by reference in the bulletin or code.

Sec. 3. Section 10A.506, subsection 10, Code 2024, is amended to read as follows:

10. Notwithstanding section 17A.6, subsection 3, the licensing boards included within the department pursuant to subsection 1 may adopt standards by reference to another publication without providing a copy of posting the publication to the administrative code editor boards' internet sites if the publication containing the standards is readily accessible on the internet at no cost and the internet site at which the publication may be found is included in the administrative rules that adopt the standard.

Sec. 4. Section 17A.3, subsection 1, paragraphs a, b, and c, Code 2024, are amended by striking the paragraphs.

Sec. 5. Section 17A.4, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Prior to the adoption, amendment, or repeal of any rule an agency shall submit the proposed rulemaking for preclearance to the administrative rules coordinator in the manner prescribed by the administrative rules coordinator and do all of the following:

Sec. 6. Section 17A.4, subsection 3, paragraph a, Code 2024,

1 is amended to read as follows:

2     *a.* When the statute so provides, or with the approval of  
3 the administrative rules review committee, if the committee  
4 finds good cause that notice and public participation would be  
5 unnecessary, impracticable, or contrary to the public interest,  
6 the provisions of [subsection 1](#) shall be inapplicable. However,  
7 the requirement for prior submission to the administrative  
8 rules coordinator for preclearance shall remain applicable.

9     Sec. 7. Section 17A.4A, subsections 1 and 5, Code 2024, are  
10 amended to read as follows:

11     1. An agency shall issue a regulatory analysis of a proposed  
12 rule that complies with [subsection 2](#), ~~paragraph paragraphs~~  
13 ~~"a" and "b", if, within thirty-two days after the published~~  
14 ~~notice of proposed rule adoption, a written request for the~~  
15 ~~analysis is submitted to the agency by the administrative rules~~  
16 ~~review committee or the administrative rules coordinator. An~~  
17 ~~agency shall issue a regulatory analysis of a proposed rule~~  
18 ~~that complies with [subsection 2](#), paragraph "b", if the rule~~  
19 ~~would have a substantial impact on small business and if,~~  
20 ~~within thirty-two days after the published notice of proposed~~  
21 ~~rule adoption, a written request for analysis is submitted to~~  
22 ~~the agency by the administrative rules review committee, the~~  
23 ~~administrative rules coordinator, at least twenty-five persons~~  
24 ~~signing that request who each qualify as a small business or~~  
25 ~~by an organization representing at least twenty-five such~~  
26 ~~persons. If a rule has been adopted without prior notice and~~  
27 ~~an opportunity for public participation in reliance upon prior~~  
28 ~~to submitting a notice of intended action to the administrative~~  
29 ~~rules coordinator and the administrative code editor pursuant~~  
30 ~~to [section 17A.4, subsection 3 1](#), the written request for an~~  
31 ~~analysis that complies with [subsection 2](#), paragraph "a" or "b",~~  
32 ~~may be made within seventy days of publication of the rule.~~

33     5. The agency shall not submit a notice of intended action  
34 to the administrative rules coordinator and the administrative  
35 code editor pursuant to section 17A.4, subsection 1, paragraph

1 "a", for a proposed rule until the conclusion of the opportunity  
2 for oral presentation required by subsection 4 and preclearance  
3 by the administrative rules coordinator as required by section  
4 17A.4, subsection 1. In the case of a rule adopted without  
5 prior notice and an opportunity for public participation in  
6 reliance upon section 17A.4, subsection 3, the ~~summary must~~  
7 ~~be published within~~ agency shall have until seventy days of  
8 after the request adoption to submit a regulatory analysis  
9 as described in subsection 4 for publication in the Iowa  
10 administrative bulletin. If a rule adopted in reliance upon  
11 section 17A.4, subsection 3, will be published in the Iowa  
12 administrative bulletin concurrently with a corresponding  
13 notice of intended action, a separate regulatory analysis for  
14 the notice of intended action is not required.

15 Sec. 8. Section 17A.4A, subsection 2, paragraph a,  
16 unnumbered paragraph 1, Code 2024, is amended to read as  
17 follows:

18 ~~Except to the extent that a written request for a regulatory~~  
19 ~~analysis expressly waives one or more of the following, the The~~  
20 regulatory analysis must contain all of the following:

21 Sec. 9. Section 17A.4A, subsection 4, Code 2024, is amended  
22 by striking the subsection and inserting in lieu thereof the  
23 following:

24 4. The agency shall submit the regulatory analysis to the  
25 administrative code editor, who shall publish it in the Iowa  
26 administrative bulletin. The regulatory analysis shall include  
27 a statement of either the terms or substance of the agency's  
28 intended action or a description of the subjects and issues  
29 involved. The agency shall afford all interested persons not  
30 less than twenty days to submit data, views, or arguments in  
31 writing, and the regulatory analysis shall include the time  
32 when, the place where, and the manner in which interested  
33 persons may do so. The agency shall give interested persons  
34 an opportunity to make oral presentation on the regulatory  
35 analysis. The opportunity for oral presentation shall be held

1 at least twenty days after publication of its time and place in  
2 the Iowa administrative bulletin.

3 Sec. 10. Section 17A.4A, subsection 6, Code 2024, is amended  
4 by striking the subsection.

5 Sec. 11. Section 17A.6, subsection 3, Code 2024, is amended  
6 to read as follows:

7 3. An agency that adopts standards by reference to  
8 another publication shall ~~deliver a printed copy of post~~  
9 the publication, or the relevant part of the publication,  
10 containing the standards ~~to the administrative code editor who~~  
11 ~~shall deposit the copy in the state law library which shall~~  
12 ~~make it available for inspection and reference on the agency's~~  
13 ~~internet site. The agency may instead deposit a printed copy~~  
14 ~~of the publication, or the relevant part of the publication, in~~  
15 ~~the state law library directly~~ An agency shall not post a link  
16 for this purpose to an internet site that is not maintained by  
17 the agency. If a posted publication or part of a publication  
18 varies from the publication or part adopted by reference as  
19 described in subsection 5, the adoption by reference described  
20 in subsection 5 shall control. This subsection does not apply  
21 to a publication that is a federal statute or regulation.

22 Sec. 12. Section 17A.7, subsection 2, Code 2024, is amended  
23 to read as follows:

24 2. Beginning ~~July~~ January 1, 2012 2027, ~~over each five-year~~  
25 ~~period of time, an each~~ agency shall conduct an ongoing and  
26 comprehensive review of all of the agency's rules. The goal of  
27 the review is the identification and elimination of all rules  
28 of the agency that are outdated, redundant, or inconsistent or  
29 incompatible with statute or its own rules or those of other  
30 agencies. ~~An~~ Over each five-year period of time, an agency  
31 ~~shall commence its review by developing a plan of review in~~  
32 ~~consultation with major stakeholders and constituent groups~~  
33 perform a retrospective analysis that includes a comprehensive  
34 evaluation and rigorous cost-benefit analysis of each existing  
35 chapter of rules to determine whether the benefits the rules

1 are intended to achieve are being realized, whether those  
2 benefits justify the costs imposed by the rules, and whether  
3 there are less restrictive alternatives to accomplish those  
4 benefits. When the agency completes the five-year review of  
5 the agency's ~~own~~ rules, the agency shall provide a written  
6 summary of the results to the administrative rules coordinator  
7 and the administrative rules review committee. The summary  
8 shall include all of the following for each chapter of rules:

9 a. The intended benefits of the rules and if the benefits  
10 are being achieved.

11 b. The costs imposed by the rules and if the costs are  
12 justified by the benefits identified in paragraph "a".

13 c. Less restrictive alternatives to the rules and an  
14 analysis of how other states regulate the activities addressed  
15 by the chapter.

16 Sec. 13. Section 17A.7, Code 2024, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 3. *a.* Each chapter of rules is rescinded  
19 five years after the date on which the chapter as a whole  
20 became effective. A chapter rescinded in this manner ceases  
21 to be effective as of the date of rescission. Before or after  
22 such rescission occurs, the agency that adopted the chapter  
23 may adopt the chapter anew after completing a retrospective  
24 analysis as described in subsection 2. Such adoption shall be  
25 subject to this chapter. An agency adopting a chapter anew  
26 as described in this subsection shall do so from a zero base.  
27 Adoption of a chapter anew as described in this subsection  
28 shall not include notation in a rulemaking document published  
29 in the Iowa administrative bulletin of additions to or  
30 deletions from the language of the prior chapter. For purposes  
31 of this subsection, "zero base" means adoption of a chapter  
32 anew without merely adopting the prior language of the chapter  
33 and without any presumption in favor of utilizing the prior  
34 language when the chapter is adopted anew.

35 *b.* The effective date of adoption, amendment, or rescission

1 of individual rules or portions of rules in a chapter, and the  
2 date of any changes to the chapter or rules or portions of  
3 rules in the chapter pursuant to section 2B.13, shall not be  
4 considered when determining the effective date of the chapter  
5 as a whole for purposes of this subsection. The date of  
6 rescission of a chapter under paragraph "a" shall not be altered  
7 if such date falls on a Saturday, Sunday, or holiday.

8     *c.* (1) If a chapter has been rescinded under this  
9 subsection, the agency that adopted the chapter shall notify  
10 the administrative code editor in writing of the rescission.  
11 The administrative rules coordinator may notify the  
12 administrative code editor in writing on behalf of the agency.

13     (2) As soon as practicable after receiving such  
14 notification, the administrative code editor shall publish  
15 notice of the rescission in the Iowa administrative bulletin  
16 and, no sooner than two weeks after such publication, remove  
17 the chapter from the Iowa administrative code.

18     *d.* When a chapter of rules becoming effective as a whole is  
19 published in the Iowa administrative code, the administrative  
20 code editor shall include the next rescission date of the  
21 chapter, as provided in this subsection, with the chapter.

22     *e.* For a chapter of rules that most recently became  
23 effective as a whole prior to January 1, 2023, the effective  
24 date of the chapter shall be deemed January 1, 2023, for  
25 purposes of this subsection. For a chapter that most recently  
26 became effective as a whole on or after January 1, 2023, the  
27 date of rescission pursuant to this subsection shall be based  
28 on the most recent effective date of the chapter as a whole.

29     Sec. 14. Section 17A.19, subsection 10, paragraphs b, c, l,  
30 and m, Code 2024, are amended to read as follows:

31     *b.* Beyond the authority explicitly delegated to the agency  
32 by any provision of law or in violation of any provision of  
33 law.

34     *c.* Based upon an erroneous interpretation of a provision of  
35 law whose interpretation has not ~~clearly~~ explicitly been vested

1 by a provision of law in the discretion of the agency.

2 *l.* Based upon an irrational, illogical, or wholly  
3 unjustifiable interpretation of a provision of law whose  
4 interpretation has ~~clearly~~ explicitly been vested by a  
5 provision of law in the discretion of the agency.

6 *m.* Based upon an irrational, illogical, or wholly  
7 unjustifiable application of law to fact that has ~~clearly~~  
8 explicitly been vested by a provision of law in the discretion  
9 of the agency.

10 Sec. 15. Section 17A.19, subsection 11, paragraphs a, b, and  
11 c, Code 2024, are amended to read as follows:

12 *a.* Shall not give any deference to the view of the agency  
13 with respect to whether particular matters have been explicitly  
14 vested by a provision of law in the discretion of the agency.

15 *b.* Should not give any deference to the view of the  
16 agency with respect to particular matters that have not been  
17 explicitly vested by a provision of law in the discretion of  
18 the agency.

19 *c.* Shall give appropriate deference to the view of the  
20 agency with respect to particular matters that have been  
21 explicitly vested by a provision of law in the discretion of  
22 the agency.

23 Sec. 16. Section 17A.23, subsections 3 and 4, Code 2024, are  
24 amended to read as follows:

25 3. *a.* An agency shall have only that authority or  
26 discretion explicitly delegated to or explicitly conferred  
27 upon the agency by law and shall not expand or enlarge its  
28 authority or discretion beyond the powers explicitly delegated  
29 to or explicitly conferred upon the agency. Unless otherwise  
30 ~~specifically~~ explicitly provided in statute, a grant of  
31 rulemaking authority shall be construed narrowly.

32 *b.* Rulemaking authority is explicitly delegated to or  
33 explicitly conferred on an agency as follows:

34 (1) An agency may adopt rules interpreting the provisions  
35 of any statute enforced or administered by the agency if a



1 statute explicitly grants the agency rulemaking authority over  
2 the statutory provision; however, a rule is not valid if the  
3 rule exceeds the bounds of correct interpretation. All of the  
4 following apply to the adoption of a rule interpreting the  
5 provisions of a statute enforced or administered by an agency:

6 (a) A statutory or nonstatutory provision containing a  
7 statement or declaration of legislative intent, purpose,  
8 findings, or policy does not delegate rulemaking authority to  
9 or confer rulemaking authority on the agency, or augment the  
10 agency's rulemaking authority, beyond the rulemaking authority  
11 that is explicitly delegated to or explicitly conferred on the  
12 agency by a statute.

13 (b) A statutory provision describing the agency's general  
14 powers or duties does not delegate rulemaking authority to  
15 or confer rulemaking authority on the agency, or augment the  
16 agency's rulemaking authority, beyond the rulemaking authority  
17 that is explicitly delegated to or explicitly conferred on the  
18 agency by a statute.

19 (c) A statutory provision containing a specific standard,  
20 requirement, or threshold does not delegate to or confer on the  
21 agency the authority to adopt, enforce, or administer a rule  
22 that contains a standard, requirement, or threshold that is  
23 more restrictive than the standard, requirement, or threshold  
24 contained in the statutory provision.

25 (2) An agency may prescribe forms and procedures in  
26 connection with any statute enforced or administered by the  
27 agency if the agency considers such prescription necessary to  
28 effectuate the purpose of the statute, but this subparagraph  
29 does not authorize the imposition of a substantive requirement  
30 in connection with a form or procedure.

31 (3) An agency authorized to exercise discretion in deciding  
32 individual cases may formalize the general policies evolving  
33 from the agency's decisions by adopting the general policies  
34 as rules that the agency shall follow until such rules are  
35 amended or repealed. A rule adopted in accordance with this

1 subparagraph is valid only to the extent that the agency  
2 has discretion to base an individual decision on the policy  
3 expressed in the rule.

4 (4) An agency may adopt rules implementing or interpreting  
5 a statute that the agency will enforce or administer after  
6 enactment of the statute but prior to the statute's effective  
7 date. A rule adopted under this subparagraph shall not take  
8 effect prior to the effective date of the statute that the rule  
9 implements or interprets.

10 4. An agency shall not implement or enforce any standard,  
11 requirement, or threshold, including any term or condition of a  
12 permit or license issued by the agency, unless that standard,  
13 requirement, or threshold is ~~clearly~~ explicitly required or  
14 ~~clearly~~ explicitly permitted by a state statute, rule adopted  
15 pursuant to this chapter, or a federal statute or regulation,  
16 or is explicitly required by a court ruling, a state or federal  
17 executive order, a state or federal directive that would result  
18 in the gain or loss of specific funding, or a federal waiver.

19 Sec. 17. NEW SECTION. 17A.24 Uniform rules on agency  
20 procedure.

21 1. The administrative rules coordinator may adopt uniform  
22 rules on agency procedure that are suitable for general  
23 applicability to agencies. Such adoption and such rules  
24 shall be subject to this chapter. Such rules may address the  
25 subjects of agency procedures for rulemaking, petitions for  
26 rulemaking, waiver of rules, declaratory orders, contested  
27 cases, and fair information practices.

28 2. If an agency does not have rules in effect that address  
29 a subject provided in subsection 1, and uniform rules on agency  
30 procedure addressing the subject are in effect, such uniform  
31 rules shall apply to the agency as though the agency had  
32 adopted them.

33 3. An agency may adopt rules providing for additions,  
34 exceptions, or amendments to a uniform rule on agency procedure  
35 that, pursuant to subsection 2, is applicable to the agency.

1 4. This section does not apply to uniform rules on agency  
2 procedure published prior to January 1, 2024, and does not  
3 affect the validity of rules that have adopted such uniform  
4 rules by reference.

5 5. The attorney general shall assist the administrative  
6 rules coordinator in implementation of this section upon  
7 request.

8 Sec. 18. Section 89.5, subsection 3, Code 2024, is amended  
9 by striking the subsection.

10 Sec. 19. Section 89A.3, subsection 5, Code 2024, is amended  
11 by striking the subsection.

12 Sec. 20. Section 455B.173, subsection 2, Code 2024, is  
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. c. Rules adopted to implement this  
15 subsection are not subject to section 17A.7, subsection 2 or 3.

16 Sec. 21. Section 455B.176A, Code 2024, is amended by adding  
17 the following new subsection:

18 NEW SUBSECTION. 9. Rules adopted to implement this  
19 subsection are not subject to section 17A.7, subsection 2 or 3.

20 Sec. 22. Section 505.35, Code 2024, is amended by adding the  
21 following new subsection:

22 NEW SUBSECTION. 3. Notwithstanding section 17A.6,  
23 subsection 3, the commissioner may adopt standards by reference  
24 to another publication without posting the publication to  
25 the department of insurance and financial services' internet  
26 site if the publication containing the standards is readily  
27 accessible on the internet at no cost and the internet site  
28 at which the publication may be found is included in the  
29 administrative rules that adopt the standard.

30 DIVISION II

31 EXECUTIVE BRANCH AGENCY FUNCTIONS

32 Sec. 23. Section 103.31, subsection 6, Code 2024, is amended  
33 to read as follows:

34 6. The board shall establish an internet-based licensure  
35 verification database for access by a state or local inspector

1 for verification of licensee status. The database shall  
2 include the name of every person licensed under [this chapter](#)  
3 and a corresponding licensure number. However, the licensee's  
4 home address, home telephone number, and other personal  
5 information as determined by rule shall be confidential.

6 Inspectors shall be authorized to request the name and  
7 license number of any person working at a job site subject to  
8 inspection for verification of licensee status. Licensees  
9 under [this chapter](#) shall be required to carry a copy of their  
10 current license and photo identification at all times when  
11 employed on a job site for compliance with [this subsection](#).

12 Sec. 24. Section 105.20, subsection 5, paragraph a, Code  
13 2024, is amended to read as follows:

14 ~~a. The board shall establish continuing education~~  
15 ~~requirements pursuant to [section 272C.2](#).~~ The basic continuing  
16 education requirement for renewal of a license shall be the  
17 completion, during the immediately preceding license term, of  
18 the number of classroom hours of instruction required by the  
19 board in courses or seminars which have been approved by the  
20 board. The board shall require at least eight classroom hours  
21 of instruction during each three-year licensing term.

22 Sec. 25. Section 256.7, subsection 6, Code 2024, is amended  
23 to read as follows:

24 6. Hear appeals of persons aggrieved by decisions of boards  
25 of directors of school corporations under [chapter 290](#) and  
26 other appeals prescribed by law in a manner consistent with  
27 chapter 17A. The state board may review the record and shall  
28 review the proposed decision of the director of the department  
29 of education or the administrative law judge employed by  
30 the division of administrative hearings created by section  
31 10A.801 and designated for any appeals heard and decided by  
32 the director under [chapter 290](#) pursuant to section 17A.15,  
33 subsection 3, and may affirm, modify, or vacate the decision,  
34 or may direct a rehearing before the director.

35 Sec. 26. Section 272C.1, subsection 6, Code 2024, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *ag.* The real estate appraiser examining  
3 board, created pursuant to chapter 543D.

4 Sec. 27. Section 272C.2, subsection 1, Code 2024, is amended  
5 to read as follows:

6 1. Each licensing board ~~shall~~ may require and issue rules  
7 for continuing education requirements as a condition to license  
8 renewal.

9 Sec. 28. Section 272C.2, subsection 2, unnumbered paragraph  
10 1, Code 2024, is amended to read as follows:

11 The rules ~~shall~~ may create continuing education requirements  
12 at a minimum level prescribed by each licensing board. These  
13 boards may also establish continuing education programs  
14 to assist a licensee in meeting such continuing education  
15 requirements. ~~Such~~ If adopted, such rules shall also:

16 Sec. 29. Section 290.5, Code 2024, is amended to read as  
17 follows:

18 **290.5 Decision of state board — rules for appeals.**

19 The decision of the state board shall be final. The state  
20 board may adopt rules of procedure for hearing appeals which  
21 shall include the power to delegate the actual hearing of  
22 the appeal to the director of the department of education or  
23 the director's designee, and members of the director's staff  
24 designated by the director. The record of appeal so heard  
25 shall be available to the state board, and, if required by  
26 section 256.7, subsection 6, the decision recommended by the  
27 director of the department of education or the designated  
28 administrative law judge shall be approved by the state board  
29 in the manner provided in ~~section 256.7, subsection 6~~ therein.

30 Sec. 30. Section 450.6, subsection 2, Code 2024, is amended  
31 by striking the subsection.

32 Sec. 31. Section 455B.133, subsections 1 and 2, Code 2024,  
33 are amended to read as follows:

34 1. Develop comprehensive plans and programs for the  
35 abatement, control, and prevention of air pollution in this

1 state, recognizing varying requirements for different areas  
2 in the state. The plans may include emission limitations,  
3 schedules and timetables for compliance with the limitations,  
4 measures to prevent the significant deterioration of air  
5 quality and other measures as necessary to assure attainment  
6 and maintenance of ambient air quality standards. The  
7 commission is not required to use air dispersion modeling as  
8 a basis for making its findings under this subsection for a  
9 minor source or minor modification of a major stationary source  
10 unless modeling is specifically provided for under the federal  
11 Clean Air Act as amended through January 1, 1991, rules adopted  
12 under this chapter, or a federal or state agreement.

13 2. Adopt, amend, or repeal rules pertaining to the  
14 evaluation, abatement, control, and prevention of air  
15 pollution. The rules may include those that are necessary  
16 to obtain approval of the state implementation plan under  
17 section 110 of the federal Clean Air Act as amended through  
18 January 1, 1991. The commission is not required to adopt rules  
19 that use air dispersion modeling for a minor source or minor  
20 modification of a major stationary source unless modeling is  
21 specifically required by the federal Clean Air Act as amended  
22 through January 1, 1991, or a federal or state agreement.

23 Sec. 32. Section 455B.134, subsection 3, Code 2024, is  
24 amended by adding the following new paragraph:

25 NEW PARAGRAPH. g. The department is not required to use  
26 air dispersion modeling as a basis for making its findings  
27 under this subsection for a minor source or minor modification  
28 of a major stationary source unless modeling is specifically  
29 provided for under the federal Clean Air Act as amended through  
30 January 1, 1991, rules adopted under this chapter, or a federal  
31 or state agreement.

32 Sec. 33. Section 509A.5, subsection 2, Code 2024, is amended  
33 to read as follows:

34 2. Any interest earnings from investments or time deposits  
35 of the funds under the control of the ~~state executive council~~

1 department of administrative services shall be deposited to the  
2 credit of these funds.

3 Sec. 34. Section 509A.11, subsection 1, Code 2024, is  
4 amended to read as follows:

5 1. "*Governing body*" means the ~~executive council of the state~~  
6 director of the department of administrative services, the  
7 school boards of school districts, and the superintendent or  
8 other person in charge of an institution supported in whole or  
9 in part by public funds.

10 Sec. 35. Section 543D.7, Code 2024, is amended to read as  
11 follows:

12 **543D.7 Certification process.**

13 Applications for original certification, renewal  
14 certification, and examinations shall be made ~~in writing~~ to the  
15 board ~~on forms approved by~~ through the board board's electronic  
16 system.

17 Sec. 36. Section 543D.9, Code 2024, is amended to read as  
18 follows:

19 **543D.9 Education and experience requirement.**

20 The board shall determine what real estate appraisal or  
21 real estate appraisal review experience and what education  
22 shall be required to provide appropriate assurance that  
23 an applicant for certification is competent to perform the  
24 certified appraisal work which is within the scope of practice  
25 defined by the board. All experience required for initial  
26 certification shall be performed as a registered associate  
27 real estate appraiser acting under the direct supervision of  
28 a certified real estate appraiser who meets the supervisory  
29 requirements established by applicable federal authorities or  
30 federal law, rule, or policy in effect at the time the hours  
31 of experience are claimed, except as the board may provide by  
32 rule. Subject to requirements or limitations established by  
33 applicable federal authorities or federal law, rule, or policy,  
34 hours qualifying for experience in a bordering state will  
35 be considered qualifying hours for experience in this state

1 without requiring a waiver or authorization from the board in  
2 accordance with rules and standards adopted by the board, ~~as~~  
3 ~~long as a majority of qualifying hours are completed in this~~  
4 ~~state.~~ Qualifying hours completed in a bordering state shall  
5 be under the direct supervision of a certified real estate  
6 appraiser with active certification in that bordering state.  
7 The board shall prescribe a required minimum number of tested  
8 hours of education relating to the provisions of **this chapter**,  
9 the uniform appraisal standards, and other rules issued in  
10 accordance with **this chapter**.

11 Sec. 37. Section 543D.13, Code 2024, is amended to read as  
12 follows:

13 **543D.13 Principal place of business.**

14 1. Each certified real estate appraiser shall advise the  
15 board of the address of the appraiser's principal place of  
16 business ~~and all other addresses at which the appraiser is~~  
17 ~~currently engaged in the business of preparing real estate~~  
18 ~~appraisal reports.~~

19 2. When a certified real estate appraiser changes the  
20 appraiser's principal place of business, the appraiser  
21 shall immediately ~~give written notification of the~~ submit an  
22 application for a change to the board and apply for an amended  
23 certificate of address through the board's electronic system.

24 3. Each certified real estate appraiser shall notify the  
25 board of the appraiser's current residence address. Residence  
26 addresses on file with the board are exempt from disclosure as  
27 public records unless the residence address is the address of  
28 the appraiser's principal place of business.

29 Sec. 38. Section 543D.14, Code 2024, is amended to read as  
30 follows:

31 **543D.14 Certificate.**

32 A certificate issued under **this chapter** shall bear the  
33 ~~signature or facsimile signature~~ name of the member or names  
34 of the members of the board as designated by the board and a  
35 certificate number assigned by the board.



1     Sec. 39. Section 543D.16, subsections 2 and 3, Code 2024,  
2 are amended to read as follows:

3     2. The basic continuing education requirement for renewal  
4 of certification shall be the completion, before June 30 of  
5 the year in which the appraiser's certificate expires, of  
6 the number of hours of instruction required by the appraiser  
7 qualifications board of the appraisal foundation in courses or  
8 seminars which have received the preapproval of the board.

9     3. The provisions of section 272C.2, subsection 4, shall  
10 only apply to a certified real estate appraiser or an associate  
11 real estate appraiser to the extent consistent with the  
12 policies adopted by the ~~appraisal~~ appraiser qualifications  
13 board of the appraisal foundation.

14     Sec. 40. Section 543D.20, subsection 1, paragraph c, Code  
15 2024, is amended to read as follows:

16     c. The person is solely providing administrative services,  
17 such as taking photographs, preparing charts, or typing  
18 reports, and is not providing real estate appraisal assistance  
19 in developing the analysis, valuation, opinions, or conclusions  
20 associated with the appraisal assignment. Such a person shall  
21 only enter a dwelling if supervised by the appraiser.

22     Sec. 41. Section 543D.20, subsection 2, Code 2024, is  
23 amended to read as follows:

24     2. The board shall establish by rule the terms and  
25 conditions of the registration of associate real estate  
26 appraisers, including the educational and other prerequisites  
27 to registration, the fees for registration and the renewal  
28 of registration, and the continuing education requirements  
29 for renewal of registration. The board shall consider and  
30 may incorporate any guidelines recommended by the ~~appraisal~~  
31 appraiser qualifications board of the appraisal foundation  
32 relating to associate real estate appraisers.

33     Sec. 42. Section 543D.22, subsection 1, paragraph a, Code  
34 2024, is amended to read as follows:

35     a. Subject to paragraphs "b" and "c", the board may require

1 a national criminal history check through the federal bureau of  
2 investigation for applicants for certification or registration,  
3 or for persons certified or registered under [this chapter](#),  
4 if needed for credibility, to comply with federal law or  
5 regulation, or the policies of the ~~appraisal-qualification~~  
6 appraiser qualifications board of the appraisal foundation.  
7 The board may alternatively require a national criminal  
8 history check through the nationwide mortgage licensing system  
9 and registry, as defined in [section 535D.3](#), when conducting  
10 background investigations under [this section](#), if authorized by  
11 applicable federal law or regulation.