

House File 853 - Reprinted

HOUSE FILE 853
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 36)

(As Amended and Passed by the House March 17, 2026)

A BILL FOR

1 An Act relating to interpretation of law in administrative and
2 judicial proceedings under the Iowa administrative procedure
3 Act.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 17A.19, subsection 10, paragraphs c and l,
2 Code 2026, are amended to read as follows:

3 c. Based upon an erroneous interpretation of a provision
4 of law ~~whose interpretation has not clearly been vested by a~~
5 ~~provision of law in the discretion of the~~ by an agency that is
6 not a licensing board as defined in section 272C.1.

7 l. (1) Based upon an erroneous interpretation of a provision
8 of law by a licensing board as defined in section 272C.1 if
9 interpretation of the provision of law has not clearly been
10 vested by a provision of law in the discretion of the licensing
11 board.

12 (2) Based upon an irrational, illogical, or wholly
13 unjustifiable interpretation of a provision of law whose by a
14 licensing board as defined in section 272C.1 if interpretation of
15 the provision of law has clearly been vested by a provision of
16 law in the discretion of the agency licensing board.

17 Sec. 2. Section 17A.19, subsection 11, Code 2026, is amended
18 to read as follows:

19 11. In making the determinations required by subsection 10,
20 ~~paragraphs "a" through "n" paragraph "l",~~ the court shall do all
21 of the following:

22 a. Shall not give any deference to the view of the agency
23 licensing board with respect to whether particular matters have
24 been vested by a provision of law in the discretion of the agency
25 licensing board.

26 b. ~~Should~~ Shall not give any deference to the view of the
27 agency licensing board with respect to particular matters that
28 have not been vested by a provision of law in the discretion of
29 the agency licensing board.

30 c. Shall give appropriate deference to the view of the agency
31 licensing board with respect to particular matters that have been
32 vested by a provision of law in the discretion of the agency
33 licensing board.

34 Sec. 3. Section 17A.23, Code 2026, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 5. a. Notwithstanding any provision of the
2 Code or Acts to the contrary, a court, or a presiding officer in
3 a contested case or other administrative action subject to this
4 chapter, when interpreting a state statute or a rule or other
5 agency document subject to this chapter, shall not defer to an
6 interpretation of the statute, rule, or document by an agency
7 that is not a licensing board as defined in section 272.1, and
8 must instead interpret the meaning and effect of the statute,
9 rule, or document de novo.

10 b. In an action brought by or against an agency that is not
11 a licensing board as defined in section 272C.1, the court or
12 officer, after applying all customary tools of interpretation,
13 must exercise any remaining doubt in favor of a reasonable
14 interpretation that limits agency authority.

unofficial