

House File 2717 - Reprinted

HOUSE FILE 2717
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2413)

(As Amended and Passed by the House April 20, 2026)

A BILL FOR

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

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DIVISION I

RULEMAKING PROCESS — LEGISLATIVE REVIEW, DELAY, AND APPROVAL
OF RULES

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

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

(1) Requires annual expenditures of at least one million dollars, or combined expenditures of at least five million dollars within five years, by all affected persons including the agency itself. An express appropriation, allocation, or transfer of moneys enacted by the general assembly shall not be considered an expenditure for purposes of this paragraph.

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

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

b. "Major rule" does not include a rule adopted by the Iowa public employees' retirement system that establishes or amends a rate of contribution to the system pursuant to section 97B.11.

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

1 general assembly a means to receive an electronic copy of the
2 notice for additional study. Any notice of intended action
3 shall be published at least thirty-five days in advance of the
4 action. The notice shall include ~~a statement of either the~~
5 ~~terms or substance of the intended action or a description of~~
6 ~~the subjects and issues involved, and the~~ all of the following:

7 (1) The text of the proposed rule.

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

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

12 (4) A classification stating whether the proposed rule is a
13 major rule and an explanation for the agency's classification.
14 The classification shall encompass all rulemaking actions
15 included in the notice and shall expressly and unambiguously
16 state whether the proposed rule is a major rule.

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

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

22 Sec. 3. Section 17A.4A, subsection 2, paragraph a, Code
23 2026, is amended to read as follows:

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

26 (1) A description of the classes of persons who probably
27 will be affected by the proposed rule, including classes that
28 will bear the costs of the proposed rule and classes that will
29 benefit from the proposed rule.

30 (2) A description of the probable quantitative and
31 qualitative impact of the proposed rule, economic or otherwise,
32 upon affected classes of persons, including a description of
33 the nature and amount of all of the different kinds of costs
34 that would be incurred in complying with the proposed rule.

35 (3) The probable costs to the agency and to any other agency

1 of the implementation and enforcement of the proposed rule and
2 any anticipated effect on state revenues.

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

6 (a) The estimated primary or direct benefits of the proposed
7 rule.

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

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

12 (d) The estimated secondary or indirect costs of the
13 proposed rule.

14 (e) The estimated opportunity cost of the proposed rule.
15 The comparison must identify the opportunity cost of compliance
16 with the proposed rule resulting from the potential exit of
17 private capital from the market due to the proposed rule.

18 (5) A determination of whether less costly methods or
19 less intrusive methods exist for achieving the purpose of the
20 proposed rule.

21 (6) A description of any alternative methods for achieving
22 the purpose of the proposed rule that were seriously considered
23 by the agency and the reasons why they were rejected in favor
24 of the proposed rule.

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

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

28 (9) All sources consulted by the agency during formulation
29 of the proposed rule.

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

32 (11) All sources of uncertainty identified by the agency
33 regarding the most effective and economical means of achieving
34 the purposes of the proposed rule.

35 (12) A statement of the need for the proposed rule as

1 determined by the agency.

2 (13) A classification stating whether the proposed rule is a
3 major rule and an explanation for the agency's classification.
4 The classification shall encompass all rulemaking actions
5 included in the regulatory analysis and shall expressly and
6 unambiguously state whether the proposed rule is a major rule.

7 **Sec. 4. NEW SECTION. 17A.4C Legislative regulatory**
8 **analysis.**

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

15 *b.* The regulatory analysis must contain all of the
16 following:

17 (1) A summary of the rule.

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

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

21 (4) An evaluation of the costs of the rule, including all
22 of the following:

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

26 (b) The number or estimated number of regulated entities
27 in the state affected by the rule, and an estimate based on
28 available regulatory history, of how many newly regulated
29 entities may be affected or deterred by the costs of the rule
30 each year.

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

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

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

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

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

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

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

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

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

29 3. The legislative services agency may request information
30 relevant to a legislative regulatory analysis from an agency.
31 The agency shall promptly comply with such a request.

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

34 NEW SUBSECTION. 3. An adopted rule shall include an updated
35 classification stating whether the rule is a major rule if

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

7 Sec. 6. Section 17A.8, subsections 1, 5, and 6, Code 2026,
8 are amended to read as follows:

9 1. There is created the "Administrative Rules Review
10 Committee." The committee shall be bipartisan and shall be
11 composed of the following members:

12 a. ~~Three~~ Five senators appointed by the majority leader of
13 the senate and ~~two~~ three senators appointed by the minority
14 leader of the senate. The members appointed by the majority
15 leader of the senate, other than the chairperson, shall be
16 chairpersons of standing committees of the senate.

17 b. ~~Three~~ Five representatives appointed by the
18 speaker of the house of representatives and ~~two~~ three
19 representatives appointed by the minority leader of the house
20 of representatives. The members appointed by the speaker of
21 the house, other than the chairperson, shall be chairpersons of
22 standing committees of the house of representatives.

23 5. a. A regular committee meeting shall be held at the
24 seat of government on the second Tuesday of each month or on an
25 alternative date established by the committee. An additional
26 committee meeting shall be held in each month in which the
27 general assembly is convened for a regular session. The
28 chairperson may waive the requirement for an additional meeting
29 in a month in which a regular session of the general assembly
30 adjourns. Unless impracticable, in advance of each such
31 meeting the subject matter to be considered shall be published
32 in the Iowa administrative bulletin.

33 b. A special committee meeting may be called by the
34 chairperson at any place in the state and at any time. Unless
35 impracticable, in advance of each special meeting notice of

1 the time and place of such meeting and the subject matter to
2 be considered shall be published in the Iowa administrative
3 bulletin.

4 6. The committee shall meet for the purpose of selectively
5 reviewing rules, whether proposed or in effect. The committee
6 shall review a notice of intended action classified as a major
7 rule pursuant to section 17A.4, subsection 1, paragraph "a",
8 before the earliest date on which the proposed rule could
9 be adopted pursuant to that paragraph. The committee shall
10 review a rule adopted under section 17A.5, subsection 2,
11 paragraph "b", and classified as a major rule pursuant to
12 section 17A.4, subsection 1, paragraph "a", or section 17A.5,
13 subsection 3, within thirty-five days of the publication of
14 the adopted rule in the Iowa administrative bulletin. The
15 committee shall review any other adopted rule classified as a
16 major rule pursuant to section 17A.4, subsection 1, paragraph
17 "a", or section 17A.5, subsection 3, before its effective
18 date. A regular or special committee meeting shall be open to
19 the public and an interested person may be heard and present
20 evidence. The committee may require a representative of an
21 agency whose rule or proposed rule is under consideration
22 to attend a committee meeting. The committee may request
23 additional information about a rule from an agency.

24 Sec. 7. Section 17A.8, subsection 4, Code 2026, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. c. The administrative rules review
27 committee may establish a subcommittee of three members of
28 the general assembly for the purpose of providing additional
29 review of a proposed or adopted major rule. The chairperson
30 of the subcommittee shall be a member of a standing committee
31 appropriate for the subject matter of the major rule. At
32 least two members of the subcommittee shall be members of the
33 administrative rules review committee. The subcommittee may
34 request additional information about the major rule from the
35 agency that proposed or adopted the major rule and require

1 a representative of the agency to attend a meeting of the
2 subcommittee or the committee and respond to questions from
3 subcommittee or committee members. The subcommittee may
4 provide recommendations and other information regarding the
5 major rule to the committee.

6 Sec. 8. Section 17A.8, Code 2026, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 11. *a.* Upon a vote of the majority of
9 its members, the administrative rules review committee may
10 delay the effective date of a rule for approval by the general
11 assembly, unless the rule is adopted under section 17A.5,
12 subsection 2, paragraph "b". If the rule is adopted under
13 section 17A.5, subsection 2, paragraph "b", the committee,
14 within thirty-five days of the publication of the rule in the
15 Iowa administrative bulletin and upon a vote of the majority
16 of its members, may suspend the applicability of the rule for
17 approval by the general assembly. The committee may delay the
18 effective date or suspend the applicability of a rule if it
19 determines any of the following:

20 (1) The rule lacks adequate statutory authority.

21 (2) The rule imposes costs, burdens, or mandates on the
22 private sector that are not justified by the regulatory
23 analysis required by section 17A.4A.

24 (3) The agency failed to comply with a requirement of this
25 chapter in its rulemaking process.

26 (4) The rule raises significant policy concerns that
27 warrant review by the general assembly.

28 *b.* The committee shall refer the rule to the speaker of the
29 house of representatives and the president of the senate. The
30 referral shall be in writing and shall include the committee's
31 specific determination under paragraph "a", subparagraphs
32 (1) through (4), the committee's findings regarding the
33 determination, and any other information the committee deems
34 appropriate. The committee shall make the referral within ten
35 days of the vote under paragraph "a". The administrative code

1 editor shall publish the referral in the Iowa administrative
2 bulletin.

3 *c.* The rule shall not become effective or applicable unless
4 it is approved by the general assembly. A rule that is not
5 approved shall not become effective or applicable. The general
6 assembly may approve a rule by passage of a joint resolution.
7 The rule shall become effective or applicable on the effective
8 date of the joint resolution.

9 *d.* (1) If the effective date of a rule is delayed or the
10 applicability of a rule is suspended under this subsection
11 while the general assembly is not in session, and the governor
12 determines that the rule must become effective or applicable
13 immediately due to a requirement of federal law, a condition of
14 federal funding, or a state of disaster emergency proclaimed
15 by the governor pursuant to section 29C.6, the governor may
16 request temporary approval of the rule by the legislative
17 council. The rule shall become effective or applicable
18 upon temporary approval by the legislative council. A rule
19 temporarily approved by the legislative council shall cease to
20 be effective or applicable upon the adjournment of the next
21 regular session of the general assembly unless the general
22 assembly approves the rule by passage of a joint resolution
23 before adjournment. A rule that ceases to be applicable shall
24 cease to be effective on the same date. The rule shall remain
25 effective or applicable if approved.

26 (2) As soon as practicable, but no sooner than two weeks
27 after publication of notice pursuant to paragraph "e", the
28 administrative code editor shall remove a rule that has ceased
29 to be effective or applicable from the Iowa administrative
30 code.

31 *e.* The administrative code editor shall publish notice of a
32 delayed effective date or of applicability that was suspended,
33 and that a rule has been approved or ceased to be effective, in
34 the Iowa administrative code and bulletin.

35 *f.* Action by the committee under this subsection shall not

1 be construed to preclude any of the following:

2 (1) Any other action on a rule by the committee authorized
3 by this chapter, including but not limited to subsections 9 and
4 10.

5 (2) Enactment of legislation relating to a rule by the
6 general assembly.

7 (3) Further rulemaking by an agency.

8 Sec. 9. NEW SECTION. 17A.19A Judicial review — major
9 rules.

10 1. In addition to any other action permitted under section
11 17A.19, an aggrieved or adversely affected person or party may
12 bring an action in district court concerning a major rule.
13 The district court shall have jurisdiction to do all of the
14 following:

15 a. Engage in de novo review of whether a rule is a major
16 rule.

17 b. Determine whether an agency complied with the
18 requirements of this chapter relating to major rules.

19 c. Determine when or if a rule alleged to be a major rule
20 became effective.

21 2. The approval of a major rule by the general assembly
22 pursuant to section 17A.8, subsection 11, shall not do any of
23 the following:

24 a. Extinguish or otherwise affect any legal claim, whether
25 substantive or procedural, concerning any alleged legal defect
26 of the major rule.

27 b. Be construed as a grant or modification of statutory
28 authority by the general assembly for the adoption of the major
29 rule.

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

33 Sec. 10. APPLICABILITY. This division of this Act applies
34 to rulemaking commencing with a regulatory analysis pursuant to
35 section 17A.4A, as amended by this Act, published in the Iowa

1 administrative bulletin on or after October 1, 2026, or with
2 a rule adopted under section 17A.4, subsection 3, and section
3 17A.5, subsection 2, paragraph "b", on or after October 1,
4 2026.

5 DIVISION II

6 RATIFICATION OF PROPOSED AMENDMENTS TO STATE IMPLEMENTATION
7 PLAN — FEDERAL CLEAN AIR ACT

8 Sec. 11. Section 455B.133, subsection 2, Code 2026, is
9 amended to read as follows:

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

20 b. (1) A proposal to amend the state implementation plan
21 under section 110 of the federal Clean Air Act as amended
22 through January 1, 1991, shall not be submitted for federal
23 approval until it is ratified by the general assembly. A
24 proposal that is not ratified shall not be submitted for
25 federal approval. The general assembly may ratify a proposal
26 by passage of a joint resolution that requires approval of the
27 governor.

28 (2) Notwithstanding subparagraph (1), a proposal to amend
29 the state implementation plan under section 110 of the federal
30 Clean Air Act as amended through January 1, 1991, may be
31 submitted for federal approval without ratification by the
32 general assembly if any of the following apply:

33 (a) The proposal is an exercise of authority granted to the
34 governor pursuant to section 211(h)(5) of the federal Clean Air
35 Act, 42 U.S.C. §7545(h)(5).

1 2026, is amended to read as follows:

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

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

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

15 Sec. 14. Section 52.4, subsection 1, Code 2026, is amended
16 to read as follows:

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

27 Sec. 15. Section 97B.8A, subsection 4, paragraph d, Code
28 2026, is amended to read as follows:

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

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

35 (3) If there is a vacancy in the membership of the board

1 for one of the members appointed by the governor, the governor
2 has the power of appointment. Gubernatorial appointees to this
3 board are subject to confirmation by the senate.

4 Sec. 16. Section 256.3, subsection 3, Code 2026, is amended
5 to read as follows:

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

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

12 Sec. 17. Section 262.2, Code 2026, is amended to read as
13 follows:

14 **262.2 Appointment — term of office.**

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

20 2. Subject to subsection 3:

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

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

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

1 continue in effect.

2 4. The terms of three members of the board shall begin and

3 expire in each odd-numbered year as provided in [section 69.19](#).