

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:

1 Section 1. Section 17A.19, subsection 10, paragraphs c and
2 1, 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 1. (1) Based upon an erroneous interpretation of a
8 provision of law by a licensing board as defined in section
9 272C.1 if interpretation of the provision of law has not
10 clearly been vested by a provision of law in the discretion of
11 the licensing 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
15 of the provision of law has clearly been vested by a provision
16 of 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 "1", 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
25 ~~agency~~ 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
31 ~~agency~~ licensing board with respect to particular matters that
32 have been vested by a provision of law in the discretion of the
33 ~~agency~~ 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
3 in a contested case or other administrative action subject to
4 this chapter, when interpreting a state statute or a rule or
5 other agency document subject to this chapter, shall not defer
6 to an interpretation of the statute, rule, or document by an
7 agency that is not a licensing board as defined in section
8 272.1, and must instead interpret the meaning and effect of the
9 statute, 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.