

**CHAPTER 1189**

## REGULATION OF MINING — SUBSIDENCE

*H.F. 2765*

**AN ACT** providing for the regulation of mining, making penalties applicable, and including effective date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 208.2, subsection 2, Code 2026, is amended to read as follows:

2. “*Affected land*” means the area of land from which overburden has been removed or upon which overburden has been deposited or land ~~which~~ that has otherwise been disturbed, changed, influenced, or altered in any way in the course of mining, including a known or reported subsidence, and processing and stockpile areas, but not including roads.

Sec. 2. Section 208.2, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 14A. *a.* “*Subsidence*” means the collapse, settling, or sinking of land that occurs at or above an underground mine located on public land or land located within a public right-of-way and is caused by mining activity.

*b.* “*Subsidence*” does not include any collapse, settling, or sinking of land that is naturally occurring or that results from geological, hydrological, seismic, environmental, or other causes not related to a mining activity.

Sec. 3. NEW SECTION. **208.9A Subsidence.**

The division shall adopt rules providing for the regulation of land affected by a subsidence. The rules shall include but are not limited to requirements related to the reporting of the subsidence, the qualifications of a professional engineer or other qualified person submitting a subsidence repair plan to the division, and the timeliness of a subsidence’s planned repair.

Sec. 4. **EMERGENCY RULES.** The division of soil conservation and water quality created within the department of agriculture and land stewardship shall adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph “b”, to implement the provisions of this Act within sixty business days of the effective date of this Act and shall submit such rules to the administrative rules coordinator and the administrative code editor pursuant to section 17A.5, subsection 1, within the same period. The rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 5. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved June 2, 2026