

MAR 7 2006  
Place On Calendar

HOUSE FILE 2693  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 756)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the voting requirements for actions by the  
2 administrative rules review committee.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2693

1 Section 1. Section 17A.4, subsection 6, Code 2005, is  
2 amended to read as follows:

3 6. Upon the vote of ~~two-thirds~~ a majority of its members  
4 the administrative rules review committee may delay the  
5 effective date of a rule seventy days beyond that permitted in  
6 section 17A.5, unless the rule was promulgated under section  
7 17A.5, subsection 2, paragraph "b". This provision shall be  
8 utilized by the committee only if further time is necessary to  
9 study and examine the rule. Notice of an effective date that  
10 was delayed under this provision shall be published in the  
11 Iowa administrative code and bulletin.

12 Sec. 2. Section 17A.8, subsection 9, Code 2005, is amended  
13 to read as follows:

14 9. Upon a vote of ~~two-thirds~~ a majority of its members,  
15 the administrative rules review committee may delay the  
16 effective date of a rule until the adjournment of the next  
17 regular session of the general assembly. The committee shall  
18 refer a rule whose effective date has been delayed to the  
19 speaker of the house of representatives and the president of  
20 the senate who shall refer the rule to the appropriate  
21 standing committees of the general assembly. A standing  
22 committee shall review a rule within twenty-one days after the  
23 rule is referred to the committee by the speaker of the house  
24 of representatives or the president of the senate and shall  
25 take formal committee action by sponsoring a joint resolution  
26 to disapprove the rule, by proposing legislation relating to  
27 the rule, or by refusing to propose a joint resolution or  
28 legislation concerning the rule. The standing committee shall  
29 inform the administrative rules review committee of the  
30 committee action taken concerning the rule. If the general  
31 assembly has not disapproved of the rule by a joint  
32 resolution, the rule shall become effective. The speaker of  
33 the house of representatives and the president of the senate  
34 shall notify the administrative code editor of the final  
35 disposition of each rule delayed pursuant to this subsection.

1 If a rule is disapproved, it shall not become effective and  
2 the agency shall rescind the rule. This section shall not  
3 apply to rules made effective under section 17A.5, subsection  
4 2, paragraph "b".

5 EXPLANATION

6 The administrative rules review committee has two powers  
7 that enable it to delay the effective date of proposed rules.  
8 Both powers must be exercised prior to the effective date of  
9 the proposed rule. In both cases the delay must be imposed by  
10 a vote of two-thirds, or seven of the committee's 10 members.  
11 This bill would reduce that requirement to a majority, or six  
12 of the 10 members.

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