

11—5.1(17A) Petition for rule making.

5.1(1) Filing. Any person or agency may file a petition for adoption of rules or request for review of rules with the Department of Administrative Services, Office of the Director, Hoover State Office Building, Third Floor, Des Moines, Iowa 50319. A petition is deemed filed when it is received by the department. The department shall provide the petitioner with a file-stamped copy of the petition if the petitioner provides the department an extra copy for this purpose. The petition must be typewritten or legibly handwritten in ink and must substantially conform to the following form:

DEPARTMENT OF ADMINISTRATIVE SERVICES	
Petition by (Name of Petitioner) for the (adoption, amendment, or repeal) of rules relating to (state the subject matter).	} PETITION FOR RULE MAKING

The petition must provide the following information:

- a.* A statement of the specific rule-making action sought by the petitioner including the text or a summary of the contents of the proposed rule or amendment to a rule and, if it is a petition to amend or repeal a rule, a citation and the relevant language to the particular portion or portions of the rule proposed to be amended or repealed.
- b.* A citation to any law deemed relevant to the department's authority to take the action urged or to the desirability of that action.
- c.* A brief summary of petitioner's arguments in support of the action urged in the petition.
- d.* A brief summary of any data supporting the action urged in the petition.
- e.* The names and addresses of other persons, or a description of any class of persons, known by petitioner to be affected by or interested in, the proposed action which is the subject of the petition.
- f.* Any request by petitioner for a meeting provided for by rule 11—5.4(17A).

5.1(2) Content. The petition must be dated and signed by the petitioner or the petitioner's representative. It must also include the name, mailing address, and telephone number of the petitioner and petitioner's representative, and a statement indicating the person to whom communications concerning the petition should be directed.

5.1(3) Denial. The director may deny a petition because it does not substantially conform to the required form. Denial of a petition because it does not substantially conform to the required form does not preclude the filing of a new petition on the same subject that seeks to eliminate the grounds for the department's rejection of the petition.

5.1(4) Submission to administrative rules review committee. The department shall submit a petition for rule making and the department's disposition of the petition to the administrative rules review committee.

[ARC 4053C, IAB 10/10/18, effective 11/14/18; ARC 5512C, IAB 3/10/21, effective 4/14/21]