



## HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 688 (HSB 81)	House Committee: PASSED March 30 (23-0)
Committee: State Government	House Floor:
Floor Manager: Rep. Sexton	Senate Floor:
Date: April 12, 2023	Governor:
Staff: Jason Covey (1-3626)	

### AARC Rules Bill

- Codifies several current practices regarding the content and publication of the Administrative Bulletin.
- Clarifies in code that all fees, including increases and decreases, are adopted by rules.

### Section by Section Analysis

#### Section 1 – Editorial powers and duties (Iowa Code 2B.13(2)(b,d,f))

Change to conform to current practice to allow the Iowa Code and administrative code editors to correct references to Iowa Code which were cited erroneously or have been repealed, amended, or renumbered.

#### Section 2 – Official legal publications — citations (Iowa Code 2B.17(5)(a))

Adds the citation of the publication date of the Administrative Bulletin. This is current practice.

#### Section 3 – Definitions (Iowa Code 17A.2(1))

Clarifies that components of the general assembly are not included in the definition of agency

#### Section 4 – Definitions (Iowa Code 17A.2(11)(a))

Conforming change for section 9 of this bill.

#### Section 5 – Procedure for adoption of rules (Iowa Code 17A.4(1)(a))

Eliminate committee chairs and ranking members receiving copies of noticed rules. Replace with email notification.

#### Section 6 – Procedure for adoption of rules (Iowa Code 17A.4(8))

Clarify language regarding effect of ARRC 70-day suspension of notices of intended action.

#### Section 7 – Filing and taking effect of rules (Iowa Code 17A.5(1))

Permanent archive of all rules and rule changes--conform to existing practices.

#### Section 8 – Publications — copy of standards adopted by reference (Iowa Code 17A.6)

Remove requirement that LSA dedicate a website to standards adopted by reference. Require that standards adopted by reference, other than state laws and rules, include a date certain.

Section 9 – Agency fees — rules (Iowa Code 17A.6C)

New Section - clarifies existing requirement that fees, including increases or decreases, are established by rule.

Section 10 – Administrative rules review committee (Iowa Code 17A.8(1))

Codifies Administrative Rules Coordinator's unofficial role as ex officio, nonvoting member of the ARRC.

Section 11 – Administrative rules review committee (Iowa Code 17A.8(2,3))

Change to conform to change made in Section 10.

Section 12 – Administrative rules review committee (Iowa Code 17A.8(9))

Codifies current practice that publication of ARRC session delays and suspensions are included in the Administrative Code and Bulletin.

Section 13 – Administrative rules review committee (Iowa Code 17A.8(10)(b))

Codifies current practice that ARRC 70-day suspensions are included in the Administrative Code and Bulletin.

Section 14 – EFFECTIVE DATE

Takes effect January 1, 2024.

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## Amendment Analysis

**H-1207 by Sexton**

Adds Ombudsman to Legislative Branch exclusion from chapter 17A.

Clarifies that any changes in fees shall be adopted by rules.

Strikes language codifying the role of Governor's Administrative Rules Coordinator as ex officio, nonvoting member of ARRC.

New division on agencies that did not complete the 5-year review of rules:

- Repeals the Iowa Advance Funding Authority, chapter 257C. This agency has evidently not existed in decades. Also rescinds their rules.
- Gives Dept. of Revenue rulemaking authority over the recently defunct Iowa Capitol Investment Board to clean up the board's rules.
- Rescinds rules of the Uniform State Laws Commission. The commission's rules have not been updated since 1988, and they have not been responsive to various emails. The commission is not a regulatory body that needs to have rules at all.