



## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 853 (Formerly HF 36)	House Committee:	<b>PASSED</b> on February 19 (14-6)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Gustoff	Senate Floor:	
Date:	March 17, 2026	Governor:	
Staff:	Amanda Wille (1-5230)		

### Iowa Administrative Procedures- Judicial Proceedings

- HF 853, as amended, prohibits courts from deferring to agency interpretations of law, except in certain cases involving licensing boards.
- Establishes new standards for when and how much deference is given to agency or licensing board interpretations during judicial review and administrative proceedings.

### Section by Section Analysis

#### Section 1- Iowa Administrative Procedure Act- Judicial Review (17A.19)

Clarifies under what circumstances a court can overturn an agency's decision based on interpretation of law.

1. Inserts language that:
  1. Differentiates between agency and licensing board
  2. States that erroneous interpretations from agencies, not classified as licensing boards, may be overturned.
  3. Specifies that erroneous interpretations by licensing boards are reviewable, unless the statute clearly vested discretion in the board.
  4. Courts may overturn irrational, illogical, or wholly unjustifiable interpretations by licensing boards even if they have been granted some discretion. This can already be done for agencies.

#### Section 2- Iowa Administrative Procedure Act- Judicial Review (17A.19)

Outlines how courts should treat agency and licensing board interpretations:

Courts must not defer to an agency/licensing board's determination of whether discretion was vested by law.

Courts must not defer to an agency/licensing board's view on matters where discretion was NOT vested.

Courts should give "appropriate deference" to a licensing board on matters where discretion IS clearly vested by statute.

Section 3-Iowa Administrative Procedure Act- Construction- Delegation of Authority (17A.23)

1. Courts and presiding officers cannot defer to the legal interpretation of a state statute, rule, or document by any agency that is not a licensing board.
2. Courts must interpret statutes/rules/delegations “de novo” (from the beginning)
3. In legal actions involving non-licensing board agencies, after using standard interpretative tools, any uncertainties should use a reasonable interpretation that limits agency authority.

Section 4-Iowa Administrative Procedure Act- Construction- Delegation of Authority (17A.23)

Courts may not defer to agency interpretations of statutes, rules, or documents.

Mandates “de novo” interpretation: courts must independently interpret the law without relying on the agency’s view.

If ambiguity remains after using normal interpretive tools, courts must favor interpretations that limit—not expand—agency authority.

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## **Amendment Analysis**

**H-8223-Gustoff**

Strike after, see analysis above.