

February 21, 1951.  
Passed on File.

**Senate File 404**  
By PRENTIS, DOUD, COLBURN,  
BATESON, ZASTROW.

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Passed House, Date .....

Vote: Ayes..... Nays.....

Approved .....

## A BILL FOR

An Act relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies as defined herein and to the publication and distribution of said rules and regulations.

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

- 1 Section 1. As used in this Act the following words and
- 2 phrases shall have the meanings respectively ascribed to them.
- 3 1. "Administrative agency" or "agency" means each state
- 4 board, commission, bureau, division, or department, other than
- 5 a court, having statewide jurisdiction.
- 6 2. "Person" includes individuals, associations, partner-
- 7 ships, and corporations.
- 8 3. "Rules and regulations" includes rules, regulations
- 9 and amendments thereto of general application issued under
- 10 authority of law but shall not include rules and regulations
- 11 adopted relating solely to the internal operation of the agency
- 12 nor to rules and regulations adopted relating to the management,
- 13 discipline, or release of any person committed to any state
- 14 institution.

1     Sec. 2. Wherever in the statutes any administrative agency  
2 is empowered to make rules and regulations having the force and  
3 effect of law said agency shall proceed as follows:

4     1. A copy of the proposed rule or regulation before adop-  
5 tion shall be forwarded to the attorney general who shall within  
6 twenty days approve or disapprove of the form and legality thereof.

7     2. If the attorney general approves of the proposed rule  
8 or regulation the agency shall give notice, by mail, of a public  
9 hearing thereon and the time and place thereof, to all persons  
10 or groups who have registered their names with the secretary of  
11 state for that purpose. Notice of the hearing shall also be  
12 published at least once in a daily newspaper of general circula-  
13 tion in the county where the hearing will be held. Said hearing  
14 shall be at least thirty days after giving of said notice. No  
15 rule or regulation shall be adopted by any agency without said  
16 public hearing nor become effective until ninety days after filing  
17 in the office of the secretary of state.

18     3. If the attorney general disapproves of the form or  
19 legality of any proposed rule or regulation he shall state in  
20 writing his reasons therefor and the administrative agency shall  
21 then not proceed until the reasons for his objections have been  
22 removed. If the attorney general fails to approve or disapprove  
23 within twenty days the agency may proceed as though he had  
24 approved.

1     Sec. 3. When a rule or regulation adopted as provided in  
2 section 2 is filed in the office of the secretary of state, he

3 shall make an original copy thereof in substantially the same  
4 manner that acts of the General Assembly are enrolled, endorse  
5 thereon the time and date of filing in his office, and deposit  
6 and index the same in the files of his office.

1 Sec. 4. The secretary of state shall furnish a copy of  
2 every rule and regulation, filed in his office, to the code  
3 editor.

1 Sec. 5. Each administrative agency shall mail a copy of  
2 each of its rules and regulations to the office of the clerk  
3 of each district court, to the secretary of the state bar associa-  
4 tion and to each district and supreme court judge.

1 Sec. 6. Any group of twenty or more persons substantially  
2 interested or affected in their rights of person or property by  
3 a rule or regulation adopted by any administrative agency may  
4 petition to the attorney general for a reconsideration of such  
5 rule or regulation or for an amendment or modification thereof.  
6 Such petition shall set forth a clear, concise description of  
7 the facts and the grounds upon which such action is sought. Upon  
8 filing of such petition the attorney general shall cause the  
9 agency to grant the petitioners a public hearing as provided in  
10 subsection 2 of section 2.

1 Sec. 7. Within six months after the effective date of this  
2 act every administrative agency shall file its rules and regula-  
3 tions, existing on that date in the office of the secretary of  
4 state who shall proceed therewith as provided in sections 3 and 4.  
5 After the expiration of said period any rule or regulation not

6 so filed shall be of no further force or effect.

1 Sec. 8. Section fourteen point three (14.3), Code 1950,  
2 is amended by adding a new subsection as follows:

3 "Prepare the manuscript copy, and cause to be printed by  
4 the state superintendent of printing, a volume in each even-  
5 numbered year which shall contain the permanent rules and regula-  
6 tions of general application having the force and effect of law,  
7 promulgated by each state board, commission, bureau, division or  
8 department, other than a court, having statewide jurisdiction  
9 and authority to make such rules. The code editor may omit from  
10 said volume all rules and regulations applying to professional  
11 and regulatory examining and licensing provisions and any rules  
12 and regulations of limited application. The code editor may  
13 make reference in the volume as to where said omitted rules and  
14 regulations may be procured."

1 Sec. 9. Each administrative agency promulgating professional  
2 and regulatory examining and licensing rules and regulations and  
3 each agency promulgating rules and regulations of limited appli-  
4 cation shall cause the same to be published in pamphlet form for  
5 distribution upon demand.

1 Sec. 10. The volume of rules and regulations published by  
2 the code editor shall be sold and distributed by the superintend-  
3 ent of printing in the same manner as codes and session laws.