

FILED JAN 11 2005

STATE GOVERNMENT

SENATE FILE

5

BY MCKINLEY

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to require state agencies to accept public comments on
2 proposed rulemaking in an electronic format.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 5
STATE GOVERNMENT

TLSB 1433SS 81

jr/pj/5

1 Section 1. Section 17A.4, subsection 1, paragraph b,
2 unnumbered paragraph 1, Code 2005, is amended to read as
3 follows:

4 Afford all interested persons not less than twenty days to
5 submit data, views, or arguments in writing or in an
6 electronic format. If feasible, an electronic format may
7 include the use of electronic mail and posting to an internet
8 website. If timely requested in writing by twenty-five
9 interested persons, by a governmental subdivision, by the
10 administrative rules review committee, by an agency, or by an
11 association having not less than twenty-five members, the
12 agency must give interested persons an opportunity to make
13 oral presentation. The opportunity for oral presentation must
14 be held at least twenty days after publication of the notice
15 of its time and place in the Iowa administrative bulletin.
16 The agency shall consider fully all written and oral
17 submissions respecting the proposed rule. Within one hundred
18 eighty days following either the notice published according to
19 the provisions of paragraph "a" or within one hundred eighty
20 days after the last date of the oral presentations on the
21 proposed rule, whichever is later, the agency shall adopt a
22 rule pursuant to the rulemaking proceeding or shall terminate
23 the proceeding by publishing notice of termination in the Iowa
24 administrative bulletin.

25 EXPLANATION

26 This bill requires state agencies to accept public comments
27 on proposed rulemaking in an electronic format, which would
28 include electronic mail, posting on an internet website, and
29 other forms of electronic communications.

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EIGHTY FIRST GENERAL ASSEMBLY
2005 REGULAR SESSION
DAILY
SENATE CLIP SHEET

JANUARY 19, 2005

SENATE FILE 5

S-3001

1 Amend Senate File 5 as follows:

2 1. Page 1, line 5, by striking the words "writing
3 or" and inserting the following: "writing. The
4 agency shall accept such submissions".

5 2. Page 1, line 6, by striking the words "an
6 electronic format may" and inserting the following:
7 "the electronic format shall".

By PAUL McKINLEY

S-3001 FILED JANUARY 18, 2005