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SENATE FILE 66  
BY MCKINLEY

STATE GOVERNMENT

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act requiring periodic review of administrative rules by  
2 administrative agencies.

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

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STATE GOVERNMENT

1 Section 1. Section 17A.7, subsection 2, Code 2005, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 2. Over a five-year period of time, an agency shall  
5 conduct an ongoing and comprehensive review of all of the  
6 agency's rules. The goal of the review is the identification  
7 and elimination of all rules of the agency that are outdated,  
8 redundant, overbroad, ineffective, unnecessary, or otherwise  
9 undesirable. An agency shall commence its review by  
10 developing a plan of review in consultation with major  
11 stakeholders and constituent groups. As part of its review,  
12 an agency shall review existing policy and interpretive  
13 statements or similar documents to determine whether it would  
14 be necessary or appropriate to adopt these statements or  
15 documents as rules.

16 a. An agency shall establish its five-year plan for review  
17 of its rules and publish the plan in the Iowa administrative  
18 bulletin.

19 b. An agency's plan for review shall do all of the  
20 following:

21 (1) Contain a schedule that lists when the review of each  
22 rule or rule group will occur.

23 (2) State the method by which the agency will determine  
24 whether the rule under review meets the criteria listed in  
25 this executive order.

26 (3) Provide a means for public participation in the review  
27 process and specify how interested persons may participate in  
28 the review.

29 (4) Identify instances where the agency may require an  
30 exception to the review requirements.

31 (5) Provide a process for ongoing review of rules after  
32 the initial five-year review period has expired.

33 c. An agency shall consider all of the following criteria  
34 when reviewing its rules:

35 (1) The need for the rule.

- 1 (2) The clarity of the rule.
- 2 (3) The intent and legal authority for the rule.
- 3 (4) The qualitative and quantitative benefits and costs of
- 4 the rule.
- 5 (5) The fairness of the rule.
- 6 d. When an agency completes its five-year review of its
- 7 rules, the agency shall provide a summary of the results to
- 8 the administrative rules coordinator and the administrative
- 9 rules review committee.

10 EXPLANATION

11 This bill requires that each state agency review all of its  
12 administrative rules on a five-year cycle. The plan for this  
13 review must be developed in consultation with stakeholders and  
14 constituent groups. The goal of the review is the  
15 identification and elimination of all rules of the agency that  
16 are outdated, redundant, overbroad, ineffective, unnecessary,  
17 or otherwise undesirable.

18 The bill is based on the provisions of executive order  
19 number 8 issued by the governor on September 14, 1999.

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