

FILED JAN 27 2005

SENATE FILE
BY MCKINLEY

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STATE GOVERNMENT

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the request for a regulatory analysis.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 85
STATE GOVERNMENT

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

3 1. An agency shall issue a regulatory analysis of a
4 proposed rule that complies with subsection 2, paragraph "a",
5 if, within ~~thirty-two~~ seventy days after the published notice
6 of proposed rule adoption, a written request for the analysis
7 is submitted to the agency by the administrative rules review
8 committee, or the administrative rules coordinator, at least
9 twenty-five persons who are directly and adversely affected by
10 the rule signing the request, or an organization representing
11 at least twenty-five such persons. An agency shall issue a
12 regulatory analysis of a proposed rule that complies with
13 subsection 2, paragraph "b", if the rule would have a
14 substantial impact on small business and if, within ~~thirty-two~~
15 seventy days after the published notice of proposed rule
16 adoption, a written request for analysis is submitted to the
17 agency by the administrative rules review committee, the
18 administrative rules coordinator, at least twenty-five persons
19 signing that request who each qualify as a small business, or
20 by an organization representing at least twenty-five such
21 persons. If a rule has been adopted without prior notice and
22 an opportunity for public participation in reliance upon
23 section 17A.4, subsection 2, the written request for an
24 analysis that complies with subsection 2, paragraph "a" or
25 "b", may be made within seventy days of publication of the
26 rule.

27 Sec. 2. Section 17A.4A, subsection 4, unnumbered paragraph
28 1, Code 2005, is amended to read as follows:

29 Upon receipt by an agency of a timely request for a
30 regulatory analysis, which is received prior to the adoption
31 of the rule, the agency shall extend the period specified in
32 this chapter for each of the following until at least twenty
33 days after publication in the administrative bulletin of a
34 concise summary of the regulatory analysis:

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EXPLANATION

1 This bill expands the period for requesting a regulatory
2 analysis statement for new administrative rules. The current
3 period is 32 days from the publication of a notice of intended
4 action. The bill expands this period to 70 days. The bill
5 also expands the eligible requesters of these analyses by
6 allowing 25 persons who are directly and adversely impacted by
7 the rule or an organization representing 25 such persons to
8 make the demand.

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