

Red Tape Review Rule Report (Due: September 1, 2025)

Department Name:	Dept. of Management	Date:	5/2/2025	Total Rule Count:	27*
IAC #:	545	Chapter/ SubChapter/ Rule(s):	Chapters 5 - 8*	Iowa Code Section Authorizing Rule:	17A
Contact Name:	Brad Horn	Email:	Brad.horn@dom.iowa.gov	Phone:	515-414-6187

*** Chapters 5 through 8 are being repealed and replaced by this one set of Uniform Rules. The "27" rule count is the count of all rules in Chapter 5 through 8 today.**

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The rules are mandated by Iowa Code chapter 17A. The rules benefit the public by providing procedural guidance.

Is the benefit being achieved? Please provide evidence.

Yes, the current rules cover the field appropriately, but we are consolidating all concepts into a single rule.

What are the costs incurred by the public to comply with the rule?

Nominal.

What are the costs to the agency or any other agency to implement/enforce the rule?

Nominal.

Do the costs justify the benefits achieved? Please explain.

Yes, it is important to provide the taxpayers guidance on basic procedural processes.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

No, the Code mandates that such rules exist.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

Yes, the old rules were spread across many chapters, but the new version consolidates all of the rules into a single chapter. The current rules also had a number of restrictive words and phrases as defined in EO10 guidance, and these needed to be remediated.

RULES PROPOSED FOR REPEAL (list rule number[s]):

5.1, 5.3, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.12, 7.5, 7.6, 7.10, 7.11, 8.1, 8.3, 8.9, 8.10, 8.11, 8.12, 8.13, 8.14, 8.15, 8.16, 8.17

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 7
ADOPTION OF UNIFORM RULES

The committee hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website.

543—7.1(17A,22) Fair information practices. The committee hereby adopts, with the following exceptions and amendments, the uniform rules on agency procedure relating to fair information practices, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

7.1(1) In lieu of the words “(official or body issuing these rules)”, insert “committee”.

7.1(2) In lieu of the word “agency”, insert “committee”.

7.1(3) In lieu of the words “(insert agency head)”, insert “chairperson of the committee”.

7.1(4) In lieu of the words “(insert agency name and address)”, insert “the committee at the committee's mailing address”.

7.1(5) In lieu of the words “(insert customary office hours and, if agency does not have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)”, insert “8 a.m. to 4:30 p.m. daily, excluding Saturdays, Sundays, and legal holidays”.

7.1(6) In lieu of the words “(specify time period)”, insert “30 minutes”.

7.1(7) In lieu of the words “(An agency wishing to deal with search fees authorized by law should do so here.)”, delete the statement.

7.1(8) In lieu of the words “(designate office)”, insert “the committee's secretary”.

7.1(9) In lieu of the words “(and, where applicable, the time period during which the record may be disclosed)”, insert “and, where applicable, the time period during which the record may be disclosed”.

7.1(10) In lieu of the words “(Additional requirements may be necessary for special classes of records.)”, insert “Additional obligations may be necessary for special classes of records”.

7.1(11) In lieu of the words “(Each agency should revise its forms to provide this information.)”, delete the statement.

543—7.2(17A,22) Additional fair information practices—uses and disclosures of information.

7.2(1) General. Committee records are open for public inspection and copying unless otherwise provided by applicable law.

7.2(2) Uses and disclosures of individually identifiable information. To the extent allowed by law, uses or disclosures of confidential records may occur with or without the consent of the subject. Types of uses or disclosures that occur without the subject's consent include but are not necessarily limited to the following:

a. Use or disclosure for a routine use in relation to the work of the committee, as long as such use or disclosure is made subject to the same confidentiality obligations imposed on the committee.

b. Use or disclosure for statistical research purposes or reporting as long as the information is deidentified in advance.

c. Use or disclosure for civil or criminal law enforcement activities to the extent authorized by law.

d. Disclosure to an individual pursuant to a showing of compelling circumstances affecting the health or safety of any individual.

e. Disclosure to the legislative services agency under Iowa Code section 2A.3.

f. Use or disclosure in the course of employee disciplinary proceedings.

g. Use or disclosure in response to a court order or subpoena.

7.2(3) Complaints to public officials. A letter from a subject of a confidential record held by the committee to a public official that seeks the official's intervention on behalf of the subject in a matter that involves the committee will, to the extent permitted by law, be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

7.2(4) Release to subject. The subject of a confidential record may submit a request to review confidential records about that person. However, the committee need not release the record to the subject to the extent that the record is confidential under applicable law. Records that may be declared confidential include but are not necessarily limited to records that are predecisional draft documents, peace officers' investigative reports, records that are subject to the attorney/client privilege, and records that are subject to the attorney work product doctrine. When a record has multiple identifiable subjects with interest in the confidentiality of the record, the committee may take reasonable steps to protect confidential information relating to another subject.

543—7.3(17A) Petition for rulemaking. The committee hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to petitions for rulemaking, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

7.3(1) In lieu of the word "agency", insert "committee".

7.3(2) In lieu of the words "(designate office)", insert "committee's mailing address".

7.3(3) In lieu of the phrase "designate official by full title and address", insert "chairperson of the committee at the committee's mailing address".

543—7.4(17A) Declaratory orders. The committee hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to declaratory orders, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

7.4(1) In lieu of the words "designate agency", insert "committee".

7.4(2) In lieu of the words "designate office", insert the "committee's mailing address".

7.4(3) In lieu of the words "(An agency may wish to describe here a simplified alternative petition form that would be more appropriate for some members of its clientele in light of their particular circumstances.)", delete this sentence.

7.4(4) In lieu of the words "Within _____ days (15 or less)" found in rule X.2, insert "Within 15 days".

7.4(5) In lieu of the words "within _____ days of the filing of a petition" in rule X.3(1), insert "within 15 days of the filing of a petition".

7.4(6) In lieu of the words "(after time for notice under X.2(17A))", insert "15 days following receipt of notice from the committee that a petition has been filed".

7.4(7) In lieu of the words "(agency name)", insert "committee".

7.4(8) In lieu of the words "(specify office and address)", insert "the committee at the committee's mailing address".

7.4(9) In lieu of the words "(designate agency head)", insert "the chairperson of the committee".

7.4(10) In lieu of the words "(uniform rule on contested cases X.12(17A))" and "(contested case uniform rule X.2(17A))", insert "the committee's contested case rule".

7.4(11) In lieu of the sentence "(The agency may specify any provisions of Iowa Code sections 17A.10 through 17A.18 on contested case proceedings to apply to proceedings for declaratory orders.)", delete the statement.

7.4(12) In lieu of the sentence “(Where the agency’s experience enables it to define in advance other specific reasons for refusing to issue a declaratory order, it should include them here.)”, delete the statement.

7.4(13) In lieu of the phrase “(who consent to be bound)”, insert “who consent to be bound”.

7.4(14) At the end of rule X.12, add the following: “The final ruling of the committee is subject to review pursuant to the committee’s contested case rules.”

543—7.5(17A) Committee procedure for rulemaking. The committee hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to agency procedure for rulemaking, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly’s website. For purposes of this rule, the following designations are made:

7.5(1) In lieu of the words “(commission, board, council, director)”, insert “committee”.

7.5(2) In lieu of the word “agency”, insert “committee”.

7.5(3) In lieu of the words “(specify time period)”, insert “one calendar year”.

7.5(4) In lieu of the words “(identify office and address)”, insert “the secretary at the committee’s mailing address”.

7.5(5) In lieu of the words “(designate office and telephone number)”, insert “the secretary at 515.281.3705”.

7.5(6) In lieu of the words “(designate office)”, insert “the committee’s mailing address”.

7.5(7) In lieu of the words “(specify the office and address)”, insert “the committee’s mailing address”.

7.5(8) In lieu of the words “(agency head)”, insert “chairperson of the committee”.

7.5(9) In lieu of the words “(Alternatively, the agency can maintain the file indefinitely.)” and “(*NOTE: Alternatively to X.13(2)“j” and the amendment of X.13(4), an agency could keep a separate file of significant written criticisms to rules and maintain those for five years.)”, delete the statements.

7.5(10) In lieu of the words “(at actual cost)”, insert “at actual cost”.

543—7.6(17A) Contested cases. The committee hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to fair information practices, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly’s website. For purposes of this rule, the following designations are made:

7.6(1) In lieu of the words “(agency name)” or “agency”, insert “committee”.

7.6(2) In lieu of the words “(designate official)”, insert “chairperson”.

7.6(3) In lieu of the words “(specify rule number)”, insert “rule”.

7.6(4) In lieu of the words “(or such other time period the agency designates)”, delete the statement.

7.6(5) In lieu of the words “(or its designee)”, insert “or its designee”.

7.6(6) In lieu of the words “(The agency may specify other good cause by rule.)”, delete the statement.

7.6(7) In lieu of subrule X.6(4), delete the subrule.

7.6(8) In lieu of the words “(specify office and address)”, insert “the committee’s secretary at the committee’s mailing address”.

7.6(9) In lieu of the words “(designate office)”, insert “committee’s secretary”.

7.6(10) In lieu of the words “(or other time period designated by the agency)”, delete the phrase.

7.6(11) In lieu of the words “Iowa Rule of Civil Procedure 237”, insert “Iowa Rules of Civil Procedure, Division IX, Subdivision D”.

7.6(12) In lieu of the words “(45 days)”, insert “45 days”.

7.6(13) In lieu of the words “(15 days)”, insert “15 days”.

7.6(14) In lieu of the words “(20 days)”, insert “20 days”.

7.6(15) In lieu of the words “(or other period of time specified by statute or rule)”, delete the phrase.

7.6(16) In lieu of the words “(or other time specified by the agency)”, delete the phrase.

7.6(17) In lieu of the words “(but, unless the defaulting party has appeared, it cannot exceed the relief demanded)”, insert “but, unless the defaulting party has appeared, it cannot exceed the relief demanded”.

7.6(18) In lieu of the words “(or disclosed)”, insert “or disclosed”.

7.6(19) In lieu of the words “(agency to designate person to whom violations should be reported)”, insert “the chairperson of the committee”.

7.6(20) In lieu of the words “(board, commission, director)”, insert “committee”.

7.6(21) In lieu of the words “(of the presiding officer)”, insert “of the presiding officer”.

7.6(22) In lieu of the words “(the agency) (or a quorum of the agency)”, insert “the committee”.

7.6(23) In lieu of the words “(board, commission, director, as appropriate)”, insert “committee”.

These rules are intended to implement Iowa Code chapter 17A.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	Repealing 27 and adding 5, so a net reduction of 22
Proposed word count reduction after repeal and/or re-promulgation	403
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	6

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.