

Red Tape Review Rule Report (Due: September 1, 20 23)

Department Name:	City Development Board	Date:	8/31/2023	Total Rule Count:	2
IAC #:	263	Chapter/ SubChapter/ Rule(s):	Chapter 3	Iowa Code Section Authorizing Rule:	17A.7, 368.10
Contact Name:	Lisa Connell	Email:	lisa.connell@iowaeda.com	Phone:	515-348-6163

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Pursuant to Iowa Code section 17A.7, an interested person may request the adoption, amendment, or repeal of an administrative rule. These rules describe the process an interested person may use to make such a request.

Is the benefit being achieved? Please provide evidence.

Yes. The chapter outlines the process for requesting the adoption, amendment, or repeal of an administrative rule.

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

A petitioner may incur some costs to prepare a petition for rulemaking. Cities or interested persons may require staff time to complete a petition for rulemaking. Cities or interested persons may rely on external service providers, such as lawyers, to complete a petition for rulemaking and prepare any supporting documents. The amount of the costs will vary depending on the complexity of the issues and the compensation of such staff or service provider.

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

IEDA provides office space and staff assistance to the board and covers expenses of the board pursuant to Iowa Code section 368.9. The agency incurs staff time to implement the petition for rulemaking process, including time to review petitions for rulemaking, time to prepare a denial, and time to prepare an adoption, amendment, or repeal of an administrative rule if the Board grants the rulemaking petition.

Do the costs justify the benefits achieved? Please explain.

No additional costs are imposed by the rules chapter beyond the board's statutory obligations in 17A.7.

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 less restrictive alternatives were identified.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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 introductory language to the rules chapter should be updated to include the link to the Uniform Rules on Agency Procedure and to eliminate unnecessary words.

Rule 263.3.1 should be updated to remove unnecessary words.

Rule 263.3.3 should be updated to remove unnecessary words.

If the uniform rules are updated, additional updates to the chapter may be warranted.

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

No rules are proposed for repeal.

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

CHAPTER 3
PETITIONS FOR RULE MAKING

The city development board hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to petitions for rule making which are printed in the first volume of the Iowa Administrative Code and available at <https://www.legis.iowa.gov/docs/publications/ACOD/767408.pdf>.

263—3.1(17A) **Petition for rule making.** In lieu of “(designate office)”, insert “City Development Board, Iowa Economic Development Authority, 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315”.

In lieu of “(AGENCY NAME)” as the caption of the petition form, insert “BEFORE THE CITY DEVELOPMENT BOARD”.

263—3.3(17A) **Inquiries.** In lieu of “(designate official by full title and address)”, insert “City Development Board, Iowa Economic Development Authority, 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315”.

These rules are intended to implement Iowa Code section 17A.7.

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

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	8*
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	0*

*Estimated. The reduction in word count and restrictive terms may be impacted by the board's review of the proposed updates.

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

No.