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## HOUSE REPUBLICAN STAFF ANALYSIS

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Bill: House File 491  
Committee: Economic Growth  
Member: Rep. Smith  
Date: July 1, 2011  
Staff: Louis Vander Streek (1-3626)

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### Regulatory Analysis

House File 491 (formerly HF 263) is a bill that requires a regulatory analysis of a proposed administrative rule if the rule were to have a substantial impact on small business. The bill makes this a mandatory task if certain criteria are met, and the bill also states that this report shall be completed prior to the publication in the Iowa administrative bulletin of notice.

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### Summary of Action

Passed Economic Growth Committee 21-0  
Died in the House

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### Section by Section Analysis

#### Section 1 – Regulatory Analysis

This bill concerns a regulatory analysis of a proposed rule and its effect on small business.

The first part of the section states that if a rule was adopted without prior notice and without the participation of the public, that an analysis **must** be completed within seventy days of publication of the rule.

Currently, a regulatory analysis may be requested by the administrative rules committee, the administrative rules coordinator, at least 25 persons signing a request who each qualify as a small business, or by an organization representing at least 25 such persons. The section also moves this step up in the process, so that the analysis is required to be completed prior to publication in the Iowa administrative bulletin of notice of the intended action, and that a summary be published in the bulletin.

This section directs each agency to adopt rules setting out criteria to determine whether or not such an analysis would be required for each new proposed rule. The list of criteria that each agency must consider includes:

- any adverse impacts upon small business
- any negative impacts upon job growth

*Section 2 – Cleanup*

This section deletes language that directed the Administrative Rules Review Committee to give high priority to rules that were referred to it by the previous system in which an analysis was requested.