

Red Tape Review Rule Report

(Due: September 1, 20 26)

Department Name:	Iowa Racing and Gaming Commission	Date:	7/15/26	Total Rule Count:	39 rules in chapter 4
IAC #:	491	Chapter/ SubChapter/ Rule(s):	4	Iowa Code Section Authorizing Rule:	17A.10A, 17A.11, 17A.12, 17A.13, 17A.14, 17A.15, 17A.16, 17A.17, 17A.18, 17A.18A, 17A.22, 99D.7, 99D.9, 99D.9D, 99E.3, 99E.5, 99F.4, 99F.4B, 99F.7
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What is the intended benefit of the rule?

Chapter 4 sets forth parameters for contested cases and other proceedings occurring before the Commission. These include contested cases where the Commission itself is the presiding officer; contested cases where an administrative law judge (ALJ) issues a proposed decision; and other proceedings including disciplinary matters before the Commission-specific board of stewards or gaming board or licensing-related proceedings such as an appeal from a license denial by a commission representative.

Rules 4.1 through 4.10 set out these Commission-specific proceedings before the gaming board or board of stewards. Rules 4.20 through 4.48 largely adopt Uniform Rules on Agency Procedure that were first developed in 1985 and were amended in 1999.

Is the benefit being achieved? Please provide evidence.

Yes. The Commission typically resolves a handful of contested cases each year at the Commission level, either by presiding over the contested case directly, or by reviewing an ALJ's proposed decision. In addition, many matters that could become contested cases are instead resolved through a stipulated agreement. The Commission resolves at least one potential disciplinary matter by stipulation at most Commission meetings.

In addition, the gaming board meets regularly. Many gaming board matters are also resolved by stipulation, but the gaming board holds a handful of hearings each year as well. The decision rendered after those hearings is subject to intra-agency appeal. The board of stewards meets frequently and issues dozens of rulings during the horse racing season. These rulings are also subject to intra-agency appeal.

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

Any public compliance costs related to chapter 4 are incidental. For example, a person participating in a contested case may decide to obtain legal counsel to represent them in the contested case. But chapter 4 itself does not require legal counsel and thus is not the source of any legal fees the person may incur.

In addition, a person participating in a contested case could be subject to a monetary fine if a disciplinary violation is found or determined. However, it is not compliance with chapter 4 that creates this cost; but rather a penalty that is imposed only after the chapter 4 processes are complete and there is a final finding of misconduct or violations.

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

The agency's costs to implement chapter 4 are primarily those associated with the personnel necessary to staff the gaming board and board of stewards. In addition, for contested cases where an administrative law judge presides over the introduction of evidence and renders a proposed decision, the agency reimburses the DIAL Administrative Hearings Division for that judge's services and time spent.

Do the costs justify the benefits achieved? Please explain.

Yes. Chapter 4's rules continue to provide structure for disciplinary matters occurring before the Commission, the gaming board, or the board of stewards.

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.

Rather than each agency promulgating separate contested case rules, it could be less restrictive for there to be one set of uniform rules applicable to multiple agencies. Iowa is already pursuing this path through Iowa Code section 17A.24, the administrative rules coordinator's new uniform rules in Iowa Administrative Code chapter 7—2506, and Senate File 2463 from the 2026 legislative session. The combination of these three items will maintain IRGC's specific rules regarding the gaming board and board of stewards, while repealing the "standard" contested case rules and making the uniform rules applicable to IRGC as of July 1, 2026.

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]

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Some definitions are duplicative of statutory language. These are proposed for removal. Other language in chapter 4 that duplicates a statute is proposed to be re-worded with a simple reference to the statute.

Two subparagraphs had been previously rescinded in 2003 and 2004 but have not yet been removed from the chapter. These are proposed for removal, with the applicable rule renumbered accordingly.

In addition, rules 4.20 through 4.48 were legislatively repealed as of July 1, 2026, under Senate File 2463. The content of these rules is proposed for removal.

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

4.4(1)(b)—previously rescinded, can now be removed from chapter
4.4(1)(c)—previously rescinded, can now be removed from chapter
4.5(11)—previously rescinded, can now be removed from chapter
4.6(1)(b)—previously rescinded, can now be removed from chapter
4.6(5)(h)—previously rescinded, can now be removed from chapter
4.7(4)—can be consolidated into existing 4.7(3)
4.20 through 4.48—legislatively repealed as of July 1, 2026, under Senate File 2463

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

4.1 through 4.10, which relate to Commission-specific proceedings before the gaming board and board of stewards.

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

METRICS

Total number of rules repealed:	29, plus 6 additional subrules or subparagraphs
Proposed word count reduction after repeal and/or re-promulgation	8328 (12,346 current word count; 4018 after repeal and re-promulgation)
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	169 “shall”; 29 “must”; 30 “require”; 12 “prohibit”

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

None related to chapter 4.