

Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 152
“Tobacco Use Prevention and Control Funding Process”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 142A.6

State or federal law(s) implemented by the rulemaking: Iowa Code section 142A.6

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 21, 2025
10 a.m.

Microsoft Teams
Meeting ID: 286 319 808 076 0
Passcode: tX6ck6P8

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Victoria L. Daniels
321 East 12th Street
Lucas State Office Building
Des Moines, Iowa 50319
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

This proposed rulemaking was undertaken as a result of Executive Order 10. This chapter became obsolete due to the passage of 2024 Iowa Acts, House File 2673, which in part repealed Iowa Code chapter 142A, which established the Tobacco Use Prevention and Control Commission (Commission). As a result of the legislation, the Tobacco Use Prevention and Control Commission was dissolved effective July 1, 2025. Because the Commission was dissolved, this chapter is no longer needed and is proposed to be rescinded.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
There are no costs associated with this proposed rulemaking.
 - **Classes of persons that will benefit from the proposed rulemaking:**
No persons will benefit from or be harmed by this proposed rulemaking.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
 - **Quantitative description of impact:**
No quantitative impact is expected.
 - **Qualitative description of impact:**
No qualitative impact is expected because the disbursement of funds will now go through the Department’s contracting and procurement process.
3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

No enforcement costs will be borne.

- **Anticipated effect on State revenues:**

This rulemaking is not expected to have any impact on State revenues.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Rescission of this chapter is appropriate since it has become obsolete with the passage of 2024 Iowa Acts, House File 2673, which dissolved the Commission. Going forward, funds will be dispersed through the Department's contracting and procurement process.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

Rescission of this chapter is appropriate since it has become obsolete with the passage of 2024 Iowa Acts, House File 2673, which dissolved the Commission. Going forward, funds will be dispersed through the Department's contracting and procurement process.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered by the Department.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Rescission of this chapter is appropriate since it has become obsolete with the passage of 2024 Iowa Acts, House File 2673, which dissolved the Commission. Going forward, funds will be dispersed through the Department's contracting and procurement process.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking is not expected to have any impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **641—Chapter 152.**