

CHAPTER 164

CONSTRUCTION PROJECTS INVOLVING ABOVEGROUND ELECTRICAL LINES OR WATER DRAINAGE LINES

H.F. 714

AN ACT relating to construction projects transporting electricity and water and including retroactive applicability provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 468.3](#), Code 2023, is amended by adding the following new subsection: NEW SUBSECTION. 6A. As used in [this chapter](#), the term “culvert” includes a drain, tile, or tile line.

Sec. 2. [Section 478.6A, subsection 2](#), Code 2023, is amended to read as follows:

2. Notwithstanding [section 478.21](#), in addition to any other applicable requirements pursuant to [this chapter](#), if a petition for a franchise to construct a merchant line that is proposed to be constructed above ground and involves the taking of property under eminent domain is not approved by the board and a franchise granted within three years following the date the petition is filed with the board pursuant to [section 478.3](#), the board shall reject the petition and make a record of the rejection. If the hearing on the petition conducted pursuant to [section 478.4](#) has been held within the three-year period following the date the petition is filed, but the board has not completed its deliberations within that three-year period, the three-year period may be extended by the board to allow completion of deliberations. A petitioner shall not file a petition for the same or a similar project that has been rejected within sixty months following the date of rejection if the rejection was for failure to be approved within three years following the date the petition was filed as provided in [this subsection](#).

Sec. 3. RETROACTIVE APPLICABILITY. The section of this Act amending [section 478.6A](#) applies retroactively to a petition for a franchise submitted on or after September 1, 2020.

Approved June 1, 2023