

476.95 Internet protocol-enabled service and voice over internet protocol service — regulation.

1. For purposes of [this section](#):

a. “*Internet protocol-enabled service*” means any service, capability, functionality, or application that uses internet protocol or any successor protocol and enables an end user to send or receive voice, data, or video communications in internet protocol format or a successor format.

b. “*Political subdivision*” means the same as defined in [section 145A.2](#).

c. “*Voice over internet protocol service*” means an internet protocol-enabled service that facilitates real-time, two-way voice communication that originates from, or terminates at, a user’s location and permits the user to receive a call that originates from the public switched telephone network and to terminate a call on the public switched telephone network.

2. Notwithstanding any other provision of law to the contrary, a department, agency, board, or political subdivision of the state shall not regulate, by rule, order, or other means directly or indirectly, the entry, rates, terms, or conditions for internet protocol-enabled service or voice over internet protocol service.

3. [This section](#) shall not be construed to affect, modify, limit, or expand any of the following:

a. The authority of the attorney general to take any action pursuant to [chapter 537](#) or [section 714.16](#).

b. The application or enforcement of any law that is intended to have general application to the conduct of business in this state.

c. Any entity’s obligation under section 251 or 252 of the federal Telecommunications Act of 1996.

d. Any authority of the board over wholesale telecommunications services, rates, agreements, interconnection, providers, or tariffs.

e. Any authority of the board to address or affect the resolution of a dispute regarding intercarrier compensation.

f. Any authority of the board, in accordance with state and federal law, to assess voice over internet protocol service for any of the following:

(1) Surcharges for 911 emergency services under [section 34A.7](#).

(2) Assessments for dual party relay service under [section 477C.7](#).

(3) Direct costs under [section 476.10](#) and a share of remainder assessments that reflect the service’s lesser degree of regulation.

g. Any authority of the board to regulate internet protocol-enabled service or voice over internet protocol service pursuant to [section 476.91](#).

[95 Acts, ch 199, §6; 2018 Acts, ch 1160, §17](#)

Referred to in [§476.1B](#)

Section stricken and rewritten