

15E.167 Broadband forward and telecommuter forward — certifications.

1. As used in [this section](#), unless the context requires otherwise:
 - a. “Broadband” means the same as defined in [section 8.76](#).
 - b. “Broadband infrastructure” means the same as defined in [section 8.76](#).
 - c. “Communications service provider” means a service provider that provides broadband service.
 - d. “Political subdivision” means a city, county, or township.
2. The authority shall establish the following certification programs:
 - a. Broadband forward certification, with the objective of encouraging political subdivisions to further develop broadband infrastructure and access to broadband.
 - b. Telecommuter forward certification, with the objective of encouraging political subdivisions to further develop and promote the availability of telecommuting.
3. To obtain broadband forward certification, a political subdivision shall submit to the authority, on forms prescribed by the authority by rule, an application indicating the following:
 - a. The political subdivision’s support and commitment to promote the availability of broadband.
 - b. Existing or proposed ordinances encouraging the further development of broadband infrastructure and access to broadband.
 - c. Efforts to secure local funding for the further development of broadband infrastructure and access to broadband.
 - d. A single point of contact for all matters related to broadband and broadband infrastructure.
4. A single point of contact designated in an application submitted pursuant to [subsection 3](#) shall be responsible for all of the following:
 - a. Coordination and partnership with the authority, communications service providers, realtors, economic development professionals, employers, employees, and other broadband stakeholders.
 - b. Collaboration with the authority, communication service providers, and employers to identify, develop, and market broadband packages available in the political subdivision.
 - c. Familiarity with broadband mapping tools and other state-level resources.
 - d. Maintaining regular communication with the authority.
 - e. Providing to the political subdivision regular reports regarding the availability of broadband in the political subdivision.
5. A political subdivision that the authority has certified as a broadband forward community under [subsection 3](#) shall not do any of the following:
 - a. Require an applicant to designate a final contractor to complete a broadband infrastructure project.
 - b. Impose a fee to review an application or issue a permit for a broadband infrastructure application in excess of one hundred dollars.
 - c. Impose a moratorium of any kind on the approval of applications and issuance of permits for broadband infrastructure projects or on construction related to broadband infrastructure.
 - d. Discriminate among communications service providers, or public utilities with respect to any action described in [this section](#) or otherwise related to broadband infrastructure, including granting access to public rights-of-way, infrastructure and poles, river and bridge crossings, or any other physical assets owned or controlled by the political subdivision.
 - e. As a condition for approving an application or issuing a permit for a broadband infrastructure project or for any other purpose, require the applicant to do any of the following:
 - (1) Provide any service or make available any part of the broadband infrastructure to the political subdivision.
 - (2) Except for the fee allowed under paragraph “b” of [this subsection](#), make any payment to or on behalf of the political subdivision.
6. To obtain telecommuter forward certification, a political subdivision shall submit to

the authority, on forms prescribed by the authority by rule, an application indicating the following:

a. The political subdivision's support and commitment to promote the availability of telecommuting options.

b. Existing or proposed ordinances encouraging the further development of telecommuting options.

c. Efforts to secure local funding for the further development of telecommuting options.

d. A single point of contact for coordinating telecommuting opportunities and options.

7. A single point of contact designated in an application submitted pursuant to [subsection 6](#) shall be responsible for all of the following:

a. Coordination and partnership with the authority, communications service providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.

b. Collaboration with the authority, communication service providers, and employers to identify, develop, and market telecommuter-capable broadband packages available in the political subdivision.

c. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision submits the application.

d. Familiarity with broadband mapping tools and other state-level resources.

e. Maintaining regular communication with the authority.

f. Providing to the political subdivision regular reports regarding the availability of telecommuting options in the political subdivision.

8. The authority shall develop criteria for evaluating an application for both forms of certification and the awarding of certificates. The criteria shall take into account, at a minimum, the applicant's individual circumstances and the economic goals of the applicant. The authority shall consult with local government entities and local economic development officials when evaluating an application.

9. The authority shall adopt rules pursuant to [chapter 17A](#) for the implementation of [this section](#).

[2021 Acts, ch 171, §22](#)

Section not amended; internal reference changes applied