

8.76 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Broadband*” means a high-speed, high-capacity electronic transmission medium, including fixed wireless and mobile wireless mediums, that can carry data signals from independent network sources by establishing different bandwidth channels and that is commonly used to deliver internet services to the public.

2. “*Broadband infrastructure*” means the physical infrastructure used for the transmission of data that provides broadband services. “*Broadband infrastructure*” does not include land, buildings, structures, improvements, or equipment not directly used in the transmission of data via broadband.

3. “*Communications service provider*” means a service provider that provides broadband service.

4. “*Crop operation*” means the same as defined in [section 717A.1](#).

5. “*Department*” means the department of management.

6. “*Director*” means the director of the department of management.

7. “*Facilitate*” means a communication service provider’s ability to provide broadband service at or above the download and upload speeds specified in the definition of targeted service area in [this section](#) to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer.

8. “*Information technology*” means computing and electronics applications used to process and distribute information in digital and other forms and includes information technology devices, information technology services, infrastructure services, broadband and broadband infrastructure, and value-added services.

9. “*Information technology device*” means equipment or associated software, including programs, languages, procedures, or associated documentation, used in operating the equipment which is designed for utilizing information stored in an electronic format. “*Information technology device*” includes but is not limited to computer systems, computer networks, and equipment used for input, output, processing, storage, display, scanning, and printing.

10. “*Information technology services*” means services designed to do any of the following:

a. Provide functions, maintenance, and support of information technology devices.

b. Provide services including but not limited to any of the following:

(1) Computer systems application development and maintenance.

(2) Systems integration and interoperability.

(3) Operating systems maintenance and design.

(4) Computer systems programming.

(5) Computer systems software support.

(6) Planning and security relating to information technology devices.

(7) Data management consultation.

(8) Information technology education and consulting.

(9) Information technology planning and policies.

(10) Establishment of local area network and workstation management policies.

11. “*Information technology staff*” includes any employees performing information technology services, including but not limited to department or establishment employees in information technology classifications, contractors, temporary workers, and any other employees providing information technology services.

12. “*Infrastructure services*” includes all of the following:

a. Data centers used to support mainframe and other computers and their associated components including servers, information networks, storage systems, redundant or backup power systems, redundant data communications connections, environmental controls, and security devices.

b. Servers, mainframes, or other centralized processing systems.

c. Storage systems, including but not limited to disk, tape, optical, and other structured repositories for storing digital information.

d. Computer networks commonly referred to as local area networks.

e. Network services, including equipment and software which support local area networks, campus area networks, wide area networks, and metro area networks. Network services also include data network services such as routers, switches, firewalls, virtual private networks, intrusion detection systems, access control, internet protocol load balancers, event logging and correlation, and content caching. Network services also include cybersecurity support and information technology support for the public broadcasting division of the department of education. “*Network services*” does not extend to control of the federally licensed television airwaves.

f. Groupware applications used to facilitate collaboration, communication, and workflow, including electronic mail, directory services, calendaring and scheduling, and imaging systems.

g. Information technology help desk services.

h. Cyber security functions and equipment.

i. Digital printing and printing procurement services.

j. Data warehouses, including services that assist in managing and locating digital information.

k. Disaster recovery technology and services.

l. Cloud computing solutions including but not limited to solutions based on software as a service, platform as a service, and infrastructure as a service.

m. Other similar or related services as determined by the director.

13. “*Supported entity*” means a unit of state government, which is an authority, board, commission, committee, council, department, or independent agency as defined in [section 7E.4](#), including but not limited to each principal central department enumerated in [section 7E.5](#). However, “*supported entity*” does not mean any of the following:

a. The office of the governor or the office of an elective constitutional or statutory officer.

b. The general assembly, or any office or unit under its administrative authority.

c. The judicial branch, as provided in [section 602.1102](#).

d. A political subdivision of the state or its offices or units, including but not limited to a county, city, or community college.

e. The state board of regents and institutions operated under its authority.

14. “*Targeted service area*” means any of the following:

a. A United States census bureau census block located in this state, including any crop operation located within the census block, or other geographic unit the department sets by rule, within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds. As used in [this subsection](#):

(1) “*Tier 1*” means a maximum download speed of less than twenty-five megabits per second and a maximum upload speed of less than three megabits per second.

(2) “*Tier 2*” means a minimum download speed of greater than or equal to twenty-five megabits per second but less than fifty megabits per second.

(3) “*Tier 3*” means a minimum download speed of greater than or equal to fifty megabits per second but less than eighty megabits per second.

b. Any geographic area, as the department sets by rule, that is materially underserved by broadband service such that tier 1, tier 2, and tier 3 download and upload speeds are not meaningfully available. The department’s power to determine the geographic area by rule under this paragraph includes the power to define and interpret policies as to whether a geographic area is materially underserved and broadband service is meaningfully available.

15. “*Underserved area*” means any portion of a targeted service area within which no communications service provider facilitates broadband service meeting the tier 1 download and upload speeds specified in the definition of targeted service area in [this section](#).

16. “*Value-added services*” means services that offer or provide unique, special, or enhanced value, benefits, or features to the customer or user including but not limited to services in which information technology is specially designed, modified, or adapted to meet the special or requested needs of the user or customer; services involving the delivery, provision, or transmission of information or data that require or involve additional processing, formatting, enhancement, compilation, or security; services that provide the customer or user with enhanced accessibility, security, or convenience; research and

development services; and services that are provided to support technological or statutory requirements imposed on supported entities and other governmental entities, businesses, and the public.

[2013 Acts, ch 129, §5](#)

C2014, §8B.1

[2015 Acts, ch 120, §26, 27](#); [2018 Acts, ch 1123, §1, 7](#); [2019 Acts, ch 159, §2 – 4](#); [2020 Acts, ch 1078, §1, 17](#); [2021 Acts, ch 47, §1, 5, 6](#); [2024 Acts, ch 1185, §46 – 56, 85](#)

C2025, §8.76

Referred to in [§8.3A, 8.5, 15E.167, 422.7\(10\)\(b\), 422.35, 427.1\(40\)\(a\), 427.1\(40\)\(b\), 427.1\(40\)\(f\), 524.901](#)

Section transferred from §8B.1 in Code 2025 pursuant to directive in 2024 Acts, ch 1185, §85

Section amended and editorially internally renumbered