

House File 2279

H-8176

1 Amend House File 2279 as follows:

2 1. Page 1, after line 2 by inserting:

3 <Sec. \_\_\_\_\_. Section 364.2, subsection 4, Code 2024, is  
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *h.* (1) When a person requests a franchise  
6 for a merchant line as defined in section 478.6A and that  
7 requester possesses a franchise issued by the Iowa utilities  
8 board outside of a city, and when the proposed merchant line  
9 is more than fifty miles in total length within the state and  
10 will be underground within the limits of the city, all of the  
11 following apply:

12 (a) A person shall submit a written franchise request  
13 including the proposed terms and conditions of the franchise.

14 (b) Upon receipt of the franchise request for a merchant  
15 line, a city shall conduct a hearing pursuant to this  
16 subsection. The city and the person may negotiate the terms  
17 of a franchise prior to the approval of an ordinance. A city  
18 may not unreasonably refuse to grant a franchise for a merchant  
19 line. If the city denies the franchise request, the city shall  
20 provide the person with a written denial of the franchise based  
21 on substantial evidence in the record demonstrating that the  
22 proposed transmission line would have a significant adverse  
23 impact on the health or safety of the city's residents or  
24 public facilities that would not have been considered by the  
25 Iowa utilities board.

26 (c) If the city has not held the required hearing or has not  
27 acted on a request for a franchise for a merchant line within  
28 ninety days of the receipt of the request, notwithstanding any  
29 other terms of the Code, the franchise is deemed approved by  
30 the city. If a request is timely denied, the person may seek a  
31 certiorari judicial review by filing a petition either in Polk  
32 county district court or in the district court for the county  
33 in which the petitioner resides or the principal place of the  
34 requester for the merchant line.

35 (d) This subsection applies to eligible merchant lines for

1 which a franchise has been granted pursuant to chapter 478  
2 prior to the effective date of this subsection.

3 (2) This paragraph is repealed effective January 1, 2026.>

4 2. By renumbering as necessary.

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WILZ of Wapello