

# Senate File 2118

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SENATE FILE 2118

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1 2  
1 3 AN ACT  
1 4 REGARDING PUBLIC UTILITY RIGHTS=OF=WAY AND PROVIDING AN  
1 5 EFFECTIVE DATE.

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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 8  
1 9 Section 1. NEW SECTION. 306.46 PUBLIC UTILITY FACILITIES  
1 10 == PUBLIC ROAD RIGHTS=OF=WAY.

1 11 1. A public utility may construct, operate, repair, or  
1 12 maintain its utility facilities within a public road right=of=  
1 13 way. The location of new utility facilities shall comply with  
1 14 section 319.5. A utility facility shall not be constructed or  
1 15 installed in a manner that causes interference with public use  
1 16 of the road.

1 17 2. For purposes of this section, "public utility" means a  
1 18 public utility as defined in section 476.1, and shall also  
1 19 include waterworks, municipally owned waterworks, joint water  
1 20 utilities, rural water districts incorporated under chapter  
1 21 357A or 504A, and cooperative water associations. For the  
1 22 purposes of this section, "utility facilities" means any  
1 23 cables, conduits, wire, pipe, casing pipe, supporting poles,  
1 24 guys, and other material and equipment utilized for the  
1 25 furnishing of electric, gas, communications, water, or sewer  
1 26 service.

1 27 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 28 immediate importance, takes effect upon enactment.

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1 33 JEFFREY M. LAMBERTI  
1 34 President of the Senate

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2 3 CHRISTOPHER C. RANTS  
2 4 Speaker of the House

2 5 I hereby certify that this bill originated in the Senate and  
2 6 is known as Senate File 2118, Eightieth General Assembly.

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2 10 \_\_\_\_\_  
2 11 MICHAEL E. MARSHALL  
2 12 Secretary of the Senate

2 13 Approved \_\_\_\_\_, 2004

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2 17 THOMAS J. VILSACK  
Governor