

JAN 28 1999
LOCAL GOVERNMENT

HOUSE FILE

167

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KLEMME, RICHARDSON, SHOULTZ, and
DODERER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to telecommunications services which may be
2 provided by a city utility and including effective date and
3 retroactive applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 167

1 Section 1. LEGISLATIVE INTENT. It is the intent of the
2 general assembly to specifically provide that cities of Iowa
3 which create city utilities in the manner provided by law are
4 authorized to provide separate or combined cable
5 communications or television, telephone, telecommunications,
6 or information systems or services, including wireless systems
7 or services, through the ownership of systems or offering of
8 the services.

9 Sec. 2. Section 362.2, subsection 6, Code 1999, is amended
10 to read as follows:

11 6. "City utility" means all or part of a waterworks,
12 gasworks, sanitary sewage system, storm water drainage system,
13 electric light and power plant and system, heating plant,
14 cable communication or television system, telecommunications
15 or information systems or services offered separately or
16 combined with any system or service specified in this
17 subsection or authorized by other law, any of which are owned
18 by a city, including all land, easements, rights of way,
19 fixtures, equipment, accessories, improvements, appurtenances,
20 and other property necessary or useful for the operation of
21 the utility.

22 Sec. 3. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.
23 This Act, being deemed of immediate importance, takes effect
24 upon enactment, and applies retroactively to July 1, 1993.
25 City elections held after June 30, 1993, for the purpose of
26 voting on the question of offering telecommunications or
27 information systems or services offered separately or combined
28 with any system or service specified under section 362.2,
29 subsection 6, are deemed to have been held in accordance with
30 this Act and are valid for the purpose of offering such
31 systems or services. Actions of the utilities board taken in
32 reliance on the results of the city elections held as
33 specified in this section are deemed to have been taken in
34 accordance with this Act and are valid.

35 EXPLANATION

1 This bill provides that a city utility includes
2 telecommunications or information systems or services offered
3 separately or combined with any system or service specified in
4 Code section 362.2, subsection 6, or authorized by other law.
5 The bill is effective upon enactment and applies retroactively
6 to July 1, 1993. Certain city elections and utility board
7 actions are deemed to be valid.

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