

FILED MAR 1 1999

SENATE FILE
BY LUNDBY

261

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

A BILL FOR

1 An Act relating to the ability of a city utility to compete with
2 private enterprise.

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

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SF 261
COMMERCE

1 Section 1. Section 23A.2, subsection 10, paragraph c, Code
2 1999, is amended to read as follows:

3 c. The operation of a city utility, as defined by section
4 390.1, subsection 3, or regulated under chapter 388, including
5 the offering and sale by a city water utility of goods,
6 products, licenses, or services that are produced, created, or
7 made available incidentally to the utility service offered by
8 the city water utility, whether or not such goods, products,
9 licenses, or services are offered and sold directly by the
10 city water utility or through an entity owned or controlled by
11 the city water utility.

12 EXPLANATION

13 This bill relates to the exclusions to Code chapter 23A
14 regarding state agencies and political subdivisions not
15 competing with private enterprise. The bill provides that the
16 prohibition against competing with private enterprise does not
17 apply to a city utility as regulated in Code chapter 388. The
18 bill provides that operation of a city utility includes the
19 offering and sale by a city water utility of goods, products,
20 licenses, or services that are produced, created, or made
21 available incidentally to the utility service offered by the
22 city water utility, whether or not such goods, products,
23 licenses, or services are offered and sold directly by the
24 city water utility or through an entity owned or controlled by
25 the city water utility.

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