

**Senate File 22 - Introduced**

SENATE FILE 22

BY SODDERS

**A BILL FOR**

1 An Act specifying procedures applicable to claims asserting  
2 stray electric current or voltage.

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

1 Section 1. NEW SECTION. 476D.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "*Board*" means the utilities board within the utilities  
5 division of the department of commerce.

6 2. "*Dairy producer*" means any person or entity that owns or  
7 operates a dairy farm or that owns cows that do or are intended  
8 to produce milk.

9 3. "*Utility*" means a public utility as defined in section  
10 476.1 or, for purposes of this chapter, any other person owning  
11 or operating more than one thousand five hundred miles of  
12 transmission lines and associated facilities in this state.

13 Sec. 2. NEW SECTION. 476D.2 Utility inspections — stray  
14 current or voltage.

15 1. A dairy producer in this state that claims that its  
16 dairy cows are being affected by stray current or voltage shall  
17 provide written notice to a utility providing electric service  
18 to the dairy producer and may provide written notice to the  
19 board. The notice shall include a nonbinding statement as to  
20 why the dairy producer claims its dairy cows are being affected  
21 by electrical energy attributable to the utility.

22 2. a. Within fourteen business days after receipt of a  
23 notice alleging stray current or voltage by a utility pursuant  
24 to subsection 1, the utility shall take or arrange for the  
25 taking of measurements to identify the existence and magnitude  
26 of the stray current or voltage, if any. A dairy producer  
27 providing notice of the claim shall permit entry onto the  
28 dairy farm at dates and times mutually agreed upon by the  
29 dairy producer and the utility. The utility shall perform no  
30 other service or inspection on the dairy farm beyond taking  
31 measurements of stray current or voltage, except the utility  
32 may advise the dairy producer as to recommended on-farm  
33 remedial action and may perform such on-farm remedial action  
34 with the permission of the dairy producer. The utility or its  
35 representative shall abide by the dairy farm's biosecurity

1 protocols or, if none, generally accepted biosecurity protocols  
2 in the industry, prior to entry onto the dairy farm. The  
3 utility shall be provided advance notice of any biosecurity  
4 protocols adopted by the dairy producer.

5     *b.* A dairy producer may include with the notice provided  
6 pursuant to subsection 1, or in a subsequent notice, a written  
7 request for the board to take or arrange for the taking of  
8 separate and independent measurements to identify the existence  
9 and magnitude of stray current or voltage, if any. Such a  
10 request may also be made by the utility. Measurements by  
11 the board shall be taken by a representative of the board  
12 directly, or by a neutral third-party expert selected by the  
13 board for such purposes. A dairy producer providing notice  
14 of the claim shall permit entry onto the dairy farm at dates  
15 and times mutually agreed upon by the dairy producer and  
16 the board, a representative of the board directly, or by a  
17 neutral third-party expert selected by the board for such  
18 purposes. The board or a selected third-party expert shall  
19 perform no other service or inspection on the dairy farm beyond  
20 taking measurements of stray current or voltage, except the  
21 board or third-party expert may advise the dairy producer as  
22 to recommended on-farm remedial action. The board or the  
23 third-party expert shall abide by the dairy farm's biosecurity  
24 protocols or, if none, by generally accepted biosecurity  
25 protocols in the industry, prior to entry onto the dairy farm.  
26 The board shall be provided advance notice of any biosecurity  
27 protocols adopted by the dairy producer. The board shall  
28 subsequently prepare or cause to be prepared a determination of  
29 source document which shall be made available to both the dairy  
30 producer and the utility.

31     Sec. 3. NEW SECTION. 476D.3 Rules.

32     The board shall by rule establish procedures and protocols  
33 to be used for the measurement of stray current or voltage.  
34 The board shall review the rules from time to time, or upon  
35 petition to the board, to ensure that the procedures and

1 protocols continue to be scientifically and technologically  
2 accurate and a reliable means of detecting stray current or  
3 voltage.

4

EXPLANATION

5 This bill specifies procedures which apply to claims  
6 asserting stray electric current or voltage affecting dairy  
7 cows.

8 The bill provides that a dairy producer in Iowa claiming that  
9 its dairy cows are being affected by stray current or voltage  
10 shall provide written notice to a utility providing electric  
11 service to the dairy producer and may provide written notice to  
12 the utilities board of the utilities division of the department  
13 of commerce. The notice shall include a nonbinding statement  
14 as to why the dairy producer claims its dairy cows are being  
15 affected by electrical energy attributable to the utility. The  
16 bill states that within 14 business days after receipt of the  
17 notice, the utility shall take or arrange for the taking of  
18 measurements to identify the existence and magnitude of the  
19 stray current or voltage, if any. The bill provides that the  
20 dairy producer shall permit entry onto the dairy farm at dates  
21 and times mutually agreed upon by the dairy producer and the  
22 utility. The utility is required to perform no other service  
23 or inspection on the dairy farm beyond taking measurements of  
24 stray current or voltage, except the utility may advise the  
25 dairy producer as to recommended on-farm remedial action and  
26 may perform such on-farm remedial action with the permission  
27 of the dairy producer. The bill provides that the utility or  
28 its representative shall abide by the dairy farm's biosecurity  
29 protocols or, if none, generally accepted biosecurity protocols  
30 in the industry, prior to entry onto the dairy farm, and that  
31 the utility shall be provided advance notice of any biosecurity  
32 protocols adopted by the dairy producer.

33 The bill further provides that the dairy producer may  
34 include either as part of the notice or in a separate  
35 notification a written request for the board to take or arrange

1 for the taking of separate and independent measurements to  
2 identify the existence and magnitude of stray current or  
3 voltage, if any, and that such a request may also be made  
4 by the utility. Measurements by the board shall be taken  
5 by a representative of the board directly, or by a neutral  
6 third-party expert selected by the board for such purposes.  
7 The bill specifies that a dairy producer shall permit entry  
8 onto the dairy farm at dates and times mutually agreed upon  
9 by the dairy producer and the board, a representative of the  
10 board directly, or by a neutral third-party expert selected  
11 by the board for such purposes. The same restrictions shall  
12 apply to measurements taken by the board or a third-party  
13 expert with regard to performing no other service or inspection  
14 beyond taking measurements of stray current or voltage except  
15 providing advice as to recommended on-farm remedial action,  
16 and biosecurity protocols. The bill directs the board to  
17 subsequently prepare or cause to be prepared a determination of  
18 source document which shall be made available to both the dairy  
19 producer and the utility.

20 The bill provides that the board shall by rule establish  
21 procedures and protocols to be used for the measurement of  
22 stray current or voltage, which the board shall periodically  
23 review, either of its own accord or upon petition to the board,  
24 to ensure that the procedures and protocols continue to be  
25 scientifically and technologically accurate and a reliable  
26 means of detecting stray current or voltage.