A BILL FOR

1 An Act providing for the regulation of wireless facility
2 installations by cities and counties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House File 111 - Introduced
Section 1. Section 331.301, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 18. A county may establish standards and requirements regarding the installation or siting of wireless facilities. For purposes of this subsection, "wireless facility" means equipment at a fixed location that enables the provision of wireless telecommunications services or the infrastructure required for wireless telecommunications services.

Sec. 2. Section 364.2, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A city may establish standards and requirements regarding the installation or siting of wireless facilities. For purposes of this subsection, "wireless facility" means equipment at a fixed location that enables the provision of wireless telecommunications services or the infrastructure required for wireless telecommunications services.

Sec. 3. Section 427A.1, subsection 7, paragraph a, Code 2019, is amended to read as follows:

a. For purposes of this section, "transmission property" means cable and wire facilities, poles, aerial cable, underground cable, buried cable, intrabuilding network cable, or aerial wire within the meaning of and for purposes of the uniform system of accounts for telecommunication companies in 47 C.F.R. pt. 32, in effect on July 1, 2018. "Transmission property" also includes lines, electronic equipment, headend electronics, poles, aerial cable, cable drops, lasers, fiber optics, underground cable, and any electronics attached thereto used to provide telecommunications service, cable television signals, or internet service to subscribers. "Transmission property" does not include a tower as defined in section 8C.2, or structure built for the sole or primary purpose of supporting an antenna and the associated facilities authorized or licensed by the federal communications commission or...
1 constructed for wireless communications services, including but
2 not limited to private, broadcast, and public safety services
3 and unlicensed wireless services and fixed wireless services,
4 such as microwave backhaul, and the associated site.
5 Sec. 4. REPEAL. Chapter 8C, Code 2019, is repealed.

EXPLANATION

The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

9 Code chapter 8C, the "Iowa Cell Siting Act", provides
10 uniform rules and limitations for the installation or siting of
11 wireless facilities, including uniform rules and limitations
12 related to applications, certain changes, the use of public
13 lands for towers and transmission equipment, the location of
14 utility poles, permits for small wireless facilities, the
15 removal of small wireless facilities, and certain height
16 limitations. This bill repeals the "Iowa Cell Siting Act"
17 and allows counties and cities to establish standards and
18 requirements regarding the installation or siting of wireless
19 facilities. The bill defines "wireless facility" to mean
20 equipment at a fixed location that enables the provision of
21 wireless telecommunications services or the infrastructure
22 required for such services.