

House Study Bill 155 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON KLEIN)

A BILL FOR

1 An Act related to installations of certain wireless
2 telecommunications infrastructure in the state, and
3 including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8C.3, Code 2019, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 14. Reject an application, in whole or in
4 part, for the installation of a tower or transmission equipment
5 in the unincorporated area of a county with a population of
6 less than fifteen thousand, except for on property zoned and
7 used exclusively for single-family residential use or within
8 a previously designated area of historical significance
9 pursuant to section 303.34, upon written confirmation from
10 the chairperson of the statewide interoperable communications
11 system board established in section 80.28 or the governor's
12 designated single point-of-contact for the first responder
13 network authority's activities in the state, or the
14 chairperson's or point-of-contact's designee, that the tower
15 or transmission equipment is intended to be installed and
16 used as part of the state plan approved under 47 U.S.C.
17 §1442(e) for the deployment of the nationwide public safety
18 broadband network or radio access network. For purposes of
19 this subsection, "*first responder network authority*", "*nationwide*
20 *public safety broadband network*", and "*radio access network*" mean
21 the same as those terms are defined in 47 U.S.C. §1401.

22 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
23 importance, takes effect upon enactment.

24 EXPLANATION

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

27 This bill relates to installations of certain wireless
28 telecommunications infrastructure in Iowa pursuant to Code
29 chapter 8C. Code chapter 8C, the "Iowa Cell Siting Act",
30 provides uniform rules and limitations for installations of
31 wireless telecommunications infrastructure in the state,
32 including rules related to applications for such installations.

33 The bill provides that an authority, or governing body
34 authorized to make decisions relative to an application,
35 shall not reject an application for the installation of a

1 tower or transmission equipment in the unincorporated area
2 of a county with a population of less than 15,000, except
3 for on certain residential or historical property, upon
4 written confirmation from the chairperson of the statewide
5 interoperable communications system board or the governor's
6 designated single point-of-contact for the first responder
7 network authority's activities in Iowa, or the chairperson's
8 or point-of-contact's designee, that the tower or equipment
9 is intended to be installed and used as part of the state
10 plan approved under specified federal law for the deployment
11 of the nationwide public safety broadband network or radio
12 access network. The bill includes by reference definitions for
13 "first responder network authority", "nationwide public safety
14 broadband network", and "radio access network".
15 The bill takes effect upon enactment.