

**House Study Bill 589 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON COMMERCE BILL BY  
CHAIRPERSON CARLSON)

**A BILL FOR**

1 An Act relating to the definition of public improvement for  
2 public construction bidding purposes.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.2, subsection 3, paragraph b,  
2 subparagraph (5), Code 2020, is amended to read as follows:

3 (5) Construction or repair or maintenance work performed  
4 for a city utility under chapter 388 when such work is  
5 performed by its employees or performed for a rural water  
6 district under chapter 357A by its employees when such work  
7 relates to existing utility infrastructure or to establishing  
8 connections to existing utility systems.

9 Sec. 2. Section 26.2, subsection 3, paragraph b, Code 2020,  
10 is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (6) Construction or repair or  
12 maintenance work performed for a rural water district under  
13 chapter 357A by its employees.

14 EXPLANATION

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

17 This bill relates to the definition of "public improvement"  
18 for purposes of the Iowa construction bidding procedures Act.

19 Code section 26.2 contains several exclusions from the  
20 definition of "public improvement". Once such exclusion is  
21 set out in Code section 26.2, subsection 3, paragraph "b",  
22 subparagraph (5), related to the construction or repair or  
23 maintenance work performed for a city utility by its employees  
24 or performed for a rural water district under Code chapter 357A  
25 by its employees.

26 The bill modifies this exclusion by providing that such  
27 construction or repair or maintenance work is not a public  
28 improvement if it is performed by the city utility's employees,  
29 it involves existing utility infrastructure, or it involves  
30 establishing connections to existing utility systems. The bill  
31 retains the exclusion relating to work performed for a rural  
32 water district by its employees.