

Senate Study Bill 1195 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON CHAPMAN)

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

19 *b.* This subsection is repealed two years after the effective
20 date of this Act.

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

23 EXPLANATION

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

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

32 The bill provides that an authority, or governing body
33 authorized to make decisions relative to an application,
34 shall not reject an application for the installation of a
35 tower or transmission equipment in the unincorporated area of

1 a county with a population of less than 15,000, except for
2 on certain residential or historical property, upon written
3 confirmation from the statewide interoperable communications
4 system board, that the tower or equipment is intended to be
5 installed and used as part of the state plan approved under
6 specified federal law for the deployment of the nationwide
7 public safety broadband network or radio access network. The
8 bill includes by reference definitions for "nationwide public
9 safety broadband network" and "radio access network".

10 The bill takes effect upon enactment and is repealed two
11 years after it takes effect.