

House Study Bill 227 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
INFORMATION TECHNOLOGY BILL
BY CHAIRPERSON LOHSE)

A BILL FOR

1 An Act relating to the development of an internet exchange
2 point.

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

1 Section 1. Section 8B.1, Code 2021, is amended by adding the
2 following new subsections:

3 NEW SUBSECTION. 3A. "*Content delivery network*" means
4 a network of servers and their data centers that are
5 geographically distributed to facilitate rapid access to
6 information on the internet.

7 NEW SUBSECTION. 10A. "*Internet exchange point*" means
8 physical infrastructure through which internet service
9 providers and content delivery networks exchange internet
10 traffic between their networks via peering relationships.

11 NEW SUBSECTION. 10B. "*Internet service provider*" means a
12 person who provides a service that enables users to access
13 content or information on the internet.

14 Sec. 2. Section 8B.4, Code 2021, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 17A. Coordinate a program to provide for
17 the creation and implementation of an internet exchange point
18 pursuant to section 8B.27.

19 Sec. 3. Section 8B.11, subsection 2, paragraph b, Code 2021,
20 is amended to read as follows:

21 *b.* The office shall use moneys in the fund to provide grants
22 to communications service providers pursuant to [this section](#).
23 The office may use not more than one percent of the moneys in
24 the fund at the beginning of the fiscal year to pay the costs
25 and expenses associated with the administration and operation
26 of the grant program. The office may not use more than twenty
27 percent of the moneys in the fund at the beginning of the
28 fiscal year to pay the costs and expenses associated with the
29 administration and operation of the internet exchange point
30 created pursuant to section 8B.27. The office shall use moneys
31 in the fund to leverage available federal moneys if possible.

32 Sec. 4. NEW SECTION. **8B.27 Internet exchange point.**

33 1. Contingent upon the appropriation of sufficient moneys
34 to plan, design, and build an internet exchange point, the
35 office shall coordinate and implement a program to provide for

1 the creation and implementation of an internet exchange point
2 utilizing the Iowa communications network. The amount to be
3 appropriated pursuant to this subsection shall not exceed two
4 million dollars.

5 2. The office shall consult and coordinate with the Iowa
6 telecommunications and technology commission in establishing
7 and administering the internet exchange point pursuant to this
8 section.

9 3. The office shall not administer and operate the
10 internet exchange point in a manner that gives preference to
11 a particular internet service provider or content delivery
12 network.

13 Sec. 5. Section 8D.2, Code 2021, is amended by adding the
14 following new subsections:

15 NEW SUBSECTION. 01. "*Broadband*" means a high-speed,
16 high-capacity electronic transmission medium, including fixed
17 wireless and mobile wireless mediums, that can carry data
18 signals from independent network sources by establishing
19 different bandwidth channels and that is commonly used to
20 deliver internet services to the public.

21 NEW SUBSECTION. 1A. "*Common carrier*" means the same as
22 defined in 47 U.S.C. §153(11).

23 NEW SUBSECTION. 1B. "*Communications service provider*" means
24 a service provider that provides broadband service.

25 NEW SUBSECTION. 3A. "*Political subdivision*" means a
26 municipality, township, county, district, authority, or any
27 portion or combination thereof.

28 Sec. 6. Section 8D.3, subsection 3, Code 2021, is amended by
29 adding the following new paragraph:

30 NEW PARAGRAPH. 1. Coordinate with the office of the chief
31 information officer in the creation and administration of the
32 internet exchange point pursuant to section 8B.27.

33 Sec. 7. Section 8D.11, subsection 4, Code 2021, is amended
34 by striking the subsection.

35 Sec. 8. Section 8D.13, Code 2021, is amended by adding the

1 following new subsections:

2 NEW SUBSECTION. 18. Access shall be offered to common
3 carriers and communications service providers. A common
4 carrier or a communications service provider shall contribute
5 an amount consistent with their share of use for the part of
6 the system in which they participate, as determined by the
7 commission.

8 NEW SUBSECTION. 19. Access shall be offered to political
9 subdivisions, to the extent not otherwise provided for in this
10 chapter, on the same basis and at the same rate as applicable
11 to state agencies.

12 EXPLANATION

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

15 This bill relates to the development of an internet exchange
16 point and the use of moneys in the empower rural Iowa broadband
17 grant fund.

18 The bill defines "content delivery network" as a network
19 of servers and their data centers that are geographically
20 distributed to facilitate rapid access to information on
21 the internet. The bill defines "internet exchange point"
22 as a physical infrastructure through which internet service
23 providers and content delivery networks exchange internet
24 traffic between their networks via peering relationships.
25 The bill defines "internet service provider" as a person who
26 provides a service that enables users to access content or
27 information on the internet.

28 The bill requires the office to coordinate a program
29 to provide for the creation of an internet exchange point
30 utilizing the Iowa communications network. The bill authorizes
31 the office to use a maximum of 20 percent of the funds in the
32 empower rural Iowa broadband grant fund at the beginning of
33 the fiscal year for the administration and operation of the
34 internet exchange point.

35 The bill conditions the responsibilities of the office with

1 respect to the internet exchange point on the appropriation
2 of sufficient moneys for the planning, designing, and
3 building of the internet exchange point. The bill limits this
4 appropriation to a maximum of \$2 million. The bill requires
5 the office to consult with the commission in establishing
6 and administering the internet exchange point. The bill
7 prohibits the office from administering and operating the
8 internet exchange point in a manner that gives preference to
9 a particular internet service provider or content delivery
10 network.

11 The bill also adds new defined terms to Code chapter 8D.
12 The bill defines "broadband" as a high-speed, high-capacity
13 electronic transmission medium, including fixed wireless and
14 mobile wireless mediums, that can carry data signals from
15 independent network sources by establishing different bandwidth
16 channels and that is commonly used to deliver internet services
17 to the public. The bill defines "common carrier" by reference
18 to 47 U.S.C. §153(11), as any person engaged as a common
19 carrier for hire, in interstate or foreign communication by
20 wire or radio or interstate or foreign radio transmission of
21 energy. The bill defines "communications service provider" as
22 a service provider that provides broadband service. Finally,
23 the bill defines "political subdivision" as a municipality,
24 township, county, district, authority, or any portion or
25 combination thereof.

26 The bill strikes Code section 8B.11, subsection 4, which
27 restricted the political subdivisions that could access the
28 Iowa communications network to those receiving communications
29 services from the state as of April 1, 1986.

30 The bill allows common carriers, communications service
31 providers, and political subdivisions to access the Iowa
32 communications network. The bill requires a common carrier
33 or communications service provider to contribute an amount
34 consistent with their share of use of the Iowa communications
35 network. The bill requires a political subdivision to

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I contribute at the same rate as applicable to state agencies.