

House Study Bill 569 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA
TELECOMMUNICATIONS AND
TECHNOLOGY COMMISSION BILL)

A BILL FOR

1 An Act to relating to the Iowa telecommunications and
2 technology commission contract approval process.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8D.11, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. ~~a.~~ The commission may purchase, lease, and improve
4 property, equipment, and services for telecommunications
5 for public and private agencies and may dispose of property
6 and equipment when not necessary for its purposes. The
7 ~~commission may enter into a contract for the purchase, lease,~~
8 ~~or improvement of property, equipment, or services for~~
9 ~~telecommunications pursuant to [this subsection](#) in an amount~~
10 ~~not greater than the contract limitation amount without prior~~
11 ~~authorization by a constitutional majority of each house of~~
12 ~~the general assembly, approval by the legislative council~~
13 ~~if the general assembly is not in session, or the approval~~
14 ~~of the executive council as provided pursuant to paragraph~~
15 ~~"b". A contract entered into under [this subsection](#) for an~~
16 ~~amount exceeding the contract limitation amount shall require~~
17 ~~prior authorization or approval by the general assembly, the~~
18 ~~legislative council, or the executive council as provided in~~
19 ~~[this subsection](#). The commission shall not issue any bonding~~
20 ~~or other long-term financing arrangements as defined in~~
21 ~~section 12.30, subsection 1, paragraph "b". Real or personal~~
22 ~~property to be purchased by the commission through the use~~
23 ~~of a financing agreement shall be done in accordance with~~
24 ~~the provisions of [section 12.28](#), provided, however, that the~~
25 ~~commission may purchase property, equipment, or services for~~
26 ~~telecommunications pursuant to a financing agreement in an~~
27 ~~amount not greater than the contract limitation amount without~~
28 ~~prior authorization by a constitutional majority of each house~~
29 ~~of the general assembly, approval by the legislative council~~
30 ~~if the general assembly is not in session, or the approval~~
31 ~~of the executive council as provided pursuant to paragraph~~
32 ~~"b". A contract entered into under [this subsection](#) for an~~
33 ~~amount exceeding the contract limitation amount shall require~~
34 ~~prior authorization or approval by the general assembly, the~~
35 ~~legislative council, or the executive council as provided in~~

1 ~~this subsection.~~

2 ~~b. Approval by the executive council as provided under~~
3 ~~paragraph "a" shall only be permitted if the contract for which~~
4 ~~the commission is seeking approval is necessary as the result~~
5 ~~of circumstances constituting a natural disaster or a threat to~~
6 ~~homeland security.~~

7 ~~c. For purposes of this subsection, "contract limitation~~
8 ~~amount" means two million dollars. However, beginning July~~
9 ~~1, 2008, and on each succeeding July 1, the director shall~~
10 ~~adjust the contract limitation amount to be applicable for the~~
11 ~~twelve-month period commencing on September 1 of the year in~~
12 ~~which the adjustment is made. The new contract limitation~~
13 ~~amount shall be published annually as a notice in the Iowa~~
14 ~~administrative bulletin prior to September 1. The adjusted~~
15 ~~contract limitation amount shall be calculated by applying~~
16 ~~the percentage change in the consumer price index for all~~
17 ~~urban consumers for the most recent available twelve-month~~
18 ~~period published in the federal register by the United States~~
19 ~~department of labor, bureau of labor statistics, to the~~
20 ~~existing contract limitation amount as an increase or decrease,~~
21 ~~rounded to the nearest dollar. The calculation and publication~~
22 ~~of the contract limitation amount by the director are exempt~~
23 ~~from the provisions of chapter 17A.~~

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 strikes the contract limitation amount established
28 for the Iowa telecommunications and technology commission,
29 which oversees the Iowa communications network. Currently, any
30 contract that would exceed this limitation amount requires the
31 prior authorization of a constitutional majority of each house
32 of the general assembly, approval by the legislative council
33 if the general assembly is not in session, or approval of the
34 executive council as a result of circumstances constituting a
35 natural disaster or threat to homeland security.