

Senate Study Bill 1126 - Introduced

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

A BILL FOR

1 An Act prohibiting counties and cities from regulating the sale
2 of natural gas and propane.

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

1 Section 1. Section 331.301, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 18. A county shall not adopt, enforce,
4 or otherwise administer an ordinance, motion, resolution,
5 or amendment, or use any other means, to restrict, impede,
6 regulate, or prohibit, intentionally or effectively, any of the
7 following:

8 a. The provision of natural gas service by a public utility
9 as defined in section 476.1, a competitive natural gas provider
10 as defined in section 476.86, or a retail propane marketer or
11 retail propane dispenser as those terms are defined in section
12 101C.2 to a person, business, municipality, or other wholesale
13 or retail customer within or outside the county.

14 b. The purchase of natural gas or propane from a competitive
15 natural gas provider as defined in section 476.86 or a retail
16 propane marketer or retail propane dispenser as those terms
17 are defined in section 101C.2, or the receipt of natural gas
18 or propane service from a public utility as defined in section
19 476.1, by a person, business, municipality, or other wholesale
20 or retail customer within or outside the county.

21 Sec. 2. Section 364.3, Code 2021, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 13. A city shall not adopt, enforce,
24 or otherwise administer an ordinance, motion, resolution,
25 or amendment, or use any other means, to restrict, impede,
26 regulate, or prohibit, intentionally or effectively, any of the
27 following:

28 a. The provision of natural gas service by a public utility
29 as defined in section 476.1, a competitive natural gas provider
30 as defined in section 476.86, or a retail propane marketer or
31 retail propane dispenser as those terms are defined in section
32 101C.2 to a person, business, municipality, or other wholesale
33 or retail customer within or outside the incorporated area of
34 the city.

35 b. The purchase of natural gas or propane from a competitive

1 natural gas provider as defined in section 476.86 or a retail
2 propane marketer or retail propane dispenser as those terms
3 are defined in section 101C.2, or the receipt of natural gas
4 or propane service from a public utility as defined in section
5 476.1, by a person, business, municipality, or other wholesale
6 or retail customer within or outside the incorporated area of
7 the city.

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EXPLANATION

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

11 This bill prohibits a county or city from adopting,
12 enforcing, or otherwise administering an ordinance, motion,
13 resolution, or amendment, or using other means, to restrict,
14 impede, regulate, or prohibit (1) the provision of natural
15 gas service by a public utility, a competitive natural gas
16 provider, a retail propane marketer, or a retail propane
17 dispenser to a person, business, municipality, or other
18 wholesale or retail customer within or outside the county or
19 city, and (2) the purchase of natural gas or propane from a
20 competitive natural gas provider, a retail propane marketer, or
21 a retail propane dispenser, or the receipt of natural gas or
22 propane service from a public utility, by a person, business,
23 municipality, or other wholesale or retail customer within or
24 outside the county or city.