

House Study Bill 246 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to merchant line franchise petition
2 requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 478.6A, subsection 2, Code 2023, is
2 amended to read as follows:

3 2. Notwithstanding [section 478.21](#), in addition to any
4 other applicable requirements pursuant to [this chapter](#), if a
5 petition for a franchise to construct a merchant line that
6 is proposed to be constructed above ground and involves the
7 taking of property under eminent domain is not approved by the
8 board and a franchise granted within three years following the
9 date the petition is filed with the board pursuant to section
10 478.3, the board shall reject the petition and make a record
11 of the rejection. If the hearing on the petition conducted
12 pursuant to [section 478.4](#) has been held within the three-year
13 period following the date the petition is filed, but the board
14 has not completed its deliberations within that three-year
15 period, the three-year period may be extended by the board to
16 allow completion of deliberations. A petitioner shall not file
17 a petition for the same or a similar project that has been
18 rejected within sixty months following the date of rejection
19 if the rejection was for failure to be approved within three
20 years following the date the petition was filed as provided in
21 this subsection.

22 EXPLANATION

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

25 This bill relates to merchant line franchise petition
26 requirements.

27 The bill specifies that if a proposed aboveground merchant
28 line involving the use of eminent domain fails to be approved
29 by the Iowa utilities board within three years following the
30 submission of the franchise's petition, the board shall reject
31 the petition. Current law does not restrict this provision to
32 aboveground merchant lines.