

**House File 2229 - Introduced**

HOUSE FILE 2229  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 513)

**A BILL FOR**

1 An Act relating to the administration of the utilities  
2 commission, including the creation of the position of  
3 executive director and modification of the duties and titles  
4 of the chairperson and executive staff.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 474.1, subsection 2, Code 2026, is amended  
2 to read as follows:

3 2. a. Subject to confirmation by the senate, the governor  
4 shall appoint a member as the chairperson of the commission.  
5 The chairperson shall be the administrator of the utilities  
6 commission. The chairperson shall moderate contested cases, as  
7 defined by section 17A.2, meetings, as defined by section 21.2,  
8 or other proceedings. The appointment as chairperson shall be  
9 for a two-year term, which begins and ends as provided in section  
10 69.19.

11 b. The commission, by majority vote of the members, shall  
12 appoint a chief operating officer an executive director to  
13 manage the operations of the utilities commission and its  
14 staff under the direction of the commission. The executive  
15 director shall not serve as a member of the commission and  
16 shall serve at the pleasure of the commission. The commission  
17 shall set the salary of the ~~chief operating officer~~ executive  
18 director within the limits of the pay plan for exempt positions  
19 provided for in section 8A.413, subsection 3, unless otherwise  
20 provided by the general assembly. The initial appointment  
21 of the first executive director after the effective date of  
22 this Act shall be exempt from the requirements of section  
23 8A.412 and all provisions of chapter 8A relating to competitive  
24 recruitment, examination, and selection processes for classified  
25 employees. Following the termination of the service of the  
26 first executive director appointed pursuant to this paragraph,  
27 the executive director shall be subject to section 8A.412 and  
28 all provisions of chapter 8A governing competitive recruitment,  
29 examination, and selection processes for classified employees.  
30 The commission shall oversee, evaluate, and provide direction  
31 to the executive director concerning the operations of the  
32 commission. The executive director shall be selected primarily  
33 for administrative ability and knowledge in the field, without  
34 regard to political affiliation. The commission ~~may~~ shall  
35 employ additional personnel to fulfill its responsibilities as an

1 independent agency and carry out duties of the commission as it  
2 finds necessary.

3 Sec. 2. Section 474.2, Code 2026, is amended to read as  
4 follows:

5 **474.2 Certain persons barred from office.**

6 A person who is employed by any common carrier or other  
7 public utility or who owns any bonds, stock, or property in  
8 any public utility shall not be eligible to hold the office  
9 of utilities commission member or ~~chief operating officer of~~  
10 ~~the utilities commission~~ executive director. A member or ~~chief~~  
11 ~~operating officer~~ executive director who enters into employment  
12 with any common carrier or other public utility or who acquires  
13 any stock or other interest in any common carrier or other  
14 public utility after appointment as a member or ~~chief operating~~  
15 ~~officer~~ executive director shall be disqualified from holding or  
16 performing the duties of the office.

17 Sec. 3. Section 474.8, Code 2026, is amended to read as  
18 follows:

19 **474.8 Office — time employed — expenses.**

20 The utilities commission shall have an office at the seat of  
21 government. Each member shall devote the member's whole time  
22 to the duties of the office, and the members, ~~chief operating~~  
23 ~~officer~~ executive director, and other employees shall receive  
24 their actual necessary traveling expenses while in the discharge  
25 of their official duties away from the general offices.

26 Sec. 4. Section 476.51, subsection 5, Code 2026, is amended  
27 to read as follows:

28 5. Civil penalties collected pursuant to this section from  
29 utilities providing water, electric, or gas service shall be  
30 forwarded by the ~~chief operating officer~~ executive director of  
31 the commission to the treasurer of state to be credited to the  
32 general fund of the state and to be used only for the low  
33 income home energy assistance program and the weatherization  
34 assistance program administered by the department of health and  
35 human services. Civil penalties collected pursuant to this

1 section from utilities providing telecommunications service shall  
2 be forwarded to the treasurer of state to be credited to the  
3 commerce revolving fund created in section 546.12 to be used only  
4 for consumer education programs administered by the commission.  
5 Penalties paid by a rate-regulated public utility pursuant to  
6 this section shall be excluded from the utility's costs when  
7 determining the utility's revenue requirement, and shall not be  
8 included either directly or indirectly in the utility's rates or  
9 charges to customers.

10 Sec. 5. Section 476.103, subsection 4, paragraph c, Code  
11 2026, is amended to read as follows:

12 c. A civil penalty collected pursuant to this subsection  
13 shall be forwarded by the ~~chief operating officer~~ executive  
14 director of the commission to the treasurer of state to be  
15 credited to the commerce revolving fund created in section 546.12  
16 and to be used only for consumer education programs administered  
17 by the commission.

18 EXPLANATION

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

21 This bill relates to the administration of the utilities  
22 commission by creating the position of executive director and  
23 modifying the duties and titles of the chairperson and executive  
24 staff.

25 The bill specifies the chairperson's duties regarding  
26 moderating meetings and proceedings.

27 The bill replaces the position of chief operating officer  
28 with executive director, and makes conforming changes by  
29 replacing references of "chief operating officer" with "executive  
30 director". The bill states that the commission shall appoint  
31 the executive director by a majority vote, the executive director  
32 will serve at the pleasure of the commission, and the executive  
33 director will be overseen and evaluated by the commission. The  
34 bill also explains the appointment procedure and criteria for the  
35 new position.