

House File 304 - Introduced

HOUSE FILE 304
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 65)

A BILL FOR

1 An Act relating to rate-regulated utilities, including
2 telecommunications and electronic transmission services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 476.91, Code 2025, is amended to read as
2 follows:

3 **476.91 Alternative operator Telecommunication services for**
4 **incarcerated persons.**

5 1. *Definitions.* As used in this section, unless the context
6 otherwise requires:

7 a. ~~"Alternative operator services company" means a~~
8 ~~nongovernmental company which receives more than half of~~
9 ~~its Iowa intrastate telecommunications services revenues from~~
10 ~~calls placed by end-user customers from telephones other than~~
11 ~~ordinary residence or business telephones. The definition is~~
12 ~~further limited to include only companies which provide operator~~
13 ~~assistance, either through live or automated intervention, on~~
14 ~~calls placed from other than ordinary residence or business~~
15 ~~telephones, and does not include services provided under contract~~
16 ~~to rate-regulated local exchange utilities.~~

17 b. ~~"Contracting entity" means an entity providing telephones~~
18 ~~other than ordinary residence or business telephones for use~~
19 ~~by end-user customers which has contracted with an alternative~~
20 ~~operator services company to provide telecommunications services~~
21 ~~to those telephones.~~

22 c. ~~"End-user customer" means a person who places a local or~~
23 ~~toll call.~~

24 d. ~~"Other than ordinary residence or business telephones"~~
25 ~~means telephones other than the residence or business telephones~~
26 ~~of the customary users of the telephones, including but not~~
27 ~~limited to pay telephones and telephones in motel, hotel,~~
28 ~~hospital, and college dormitory rooms.~~

29 a. "Correctional facility" means a county jail, municipal
30 holding facility, secure facility for the detention or custody
31 of juveniles, community-based correctional facility, institution
32 under the management of the department of corrections, or
33 other similar private, local, state, or federally operated
34 institutions, whether operated within this state or another
35 state.

1 b. "Incarcerated person calling service" means a service that
 2 allows incarcerated persons to make calls to individuals outside
 3 the correctional facility where the incarcerated person is being
 4 held, regardless of the technology used to deliver the service.

5 ~~2. Jurisdiction. Notwithstanding any finding by the~~
 6 ~~commission that a service or facility is subject to competition~~
 7 ~~and should be deregulated pursuant to section 476.1, all~~
 8 ~~intrastate telecommunications services provided by alternative~~
 9 ~~operator services companies to end-user customers, using other~~
 10 ~~than ordinary residence or business telephones, All incarcerated~~
 11 person calling services are subject to the jurisdiction of
 12 the commission and shall be rendered pursuant to tariffs
 13 approved by the commission. ~~Alternative operator services~~
 14 companies Incarcerated person calling service providers shall
 15 be subject to all requirements and sanctions provided in this
 16 chapter. ~~Contracting entities Correctional facilities~~ shall
 17 be subject to the requirements of any commission regulations
 18 concerning telecommunications services provided by alternative
 19 ~~operator services companies incarcerated persons calling service~~
 20 providers.

21 ~~3. Requirements. The commission shall adopt and enforce~~
 22 ~~requirements for the provision of services by alternative~~
 23 ~~operator services companies and contracting entities incarcerated~~
 24 person calling service providers to correctional facilities.

25 ~~4. Billing by local exchange utilities. Notwithstanding any~~
 26 ~~finding by the commission that a service or facility is~~
 27 ~~subject to competition and should be deregulated pursuant to~~
 28 ~~section 476.1, a regulated local exchange utility shall not~~
 29 ~~perform billing and collection functions relating to regulated~~
 30 ~~telecommunications services provided by an alternative operator~~
 31 ~~services company, unless the alternative operator services~~
 32 ~~company has filed a statement with the local exchange utility~~
 33 ~~signed by a corporate officer, or other authorized person~~
 34 ~~having personal knowledge, that all regulated telecommunications~~
 35 ~~services to be billed shall be rendered pursuant to tariffs~~

1 ~~approved by the commission.~~

2 Sec. 2. Section 478.7, Code 2025, is amended to read as
3 follows:

4 **478.7 Form of franchise.**

5 ~~The general counsel for the utilities commission shall prepare~~
6 ~~a blank form of A franchise, which issued pursuant to this~~
7 ~~chapter shall provide space for a general description of the~~
8 ~~improvement authorized, the name and address of the person or~~
9 ~~corporation to whom granted, the general terms and conditions~~
10 ~~upon which the franchise is granted, and other things information~~
11 ~~as necessary. This blank form shall be filled out and signed~~
12 ~~by the chairperson of the utilities commission which grants~~
13 ~~the franchise, and the official seal shall be attached. The~~
14 ~~franchise is subject to regulations and restrictions as the~~
15 ~~general assembly prescribes, and to rules, not inconsistent with~~
16 ~~statutes, as the utilities commission may establish.~~

17 EXPLANATION

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

20 This bill relates to telecommunications and electronic
21 transmission services.

22 Under current law, Code section 476.91 pertains to all
23 alternative operator services. Alternative operator services
24 companies are currently defined as nongovernmental companies
25 that receive more than half of their Iowa intrastate
26 telecommunications services revenues from calls placed by
27 end-user customers from telephones other than ordinary residence
28 or business telephones. The definition is further limited to
29 include only companies which provide operator assistance, either
30 through live or automated intervention, on calls placed from
31 other than ordinary residence or business telephones, and does
32 not include services provided under contract to rate-regulated
33 local exchange utilities.

34 The bill revises the scope of alternative operator services
35 regulation by limiting its application only to incarcerated

1 person calling services. The bill removes and adds definitions
2 and makes corresponding changes in the Code section to conform to
3 this revision.

4 The bill amends the requirements for forms required by persons
5 seeking an electric transmission line franchise. Under current
6 law, a form prepared by the general counsel of the Iowa utilities
7 commission must be filled out, signed by the chair of the
8 commission, and have a seal attached. The bill removes the
9 form, chair signature, and official seal requirements from this
10 process. The information required on the form must still be
11 provided to the commission, including a general description of
12 the improvement authorized, the name and address of the person
13 or corporation to whom granted, the general terms and conditions
14 upon which the franchise is granted, and other information as
15 necessary.