

**House Study Bill 526 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
COMMERCE BILL BY CHAIRPERSON  
YOUNG)

**A BILL FOR**

1 An Act relating to land restoration following the initial  
2 construction of electric transmission lines.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 478.18, Code 2026, is amended to read as  
2 follows:

3 **478.18 Supervision of construction — location.**

4 1. The utilities commission shall have power of supervision  
5 over the construction of a transmission line and over its future  
6 operation and maintenance, including inspections for compliance  
7 with the standards adopted under section 478.34 after restoration  
8 of the land is complete.

9 2. A transmission line shall be constructed near and parallel  
10 to roads, to the right-of-way of the railways of the state,  
11 or along the division lines of the lands, according to  
12 the government survey, wherever the same is practicable and  
13 reasonable, and so as not to interfere with the use by the  
14 public of the highways or streams of the state, nor unnecessarily  
15 interfere with the use of any lands by the occupant.

16 3. The utilities commission may contract a qualified  
17 individual for the purpose of inspections authorized under  
18 section 478.34. The reasonable cost of the inspection shall  
19 be paid by the electric transmission owner. The utilities  
20 commission shall instruct the inspector appointed by the  
21 commission regarding the content of the statutes and rules  
22 and the responsibility of the inspector to require restoration  
23 conforming with the applicable standards established in section  
24 478.34. For purposes of this section, "qualified individual"  
25 means the same as defined in section 478.34.

26 Sec. 2. NEW SECTION. **478.34 Land restoration.**

27 1. As used in this section, unless the context otherwise  
28 requires:

29 a. "Electric transmission line" means the same as defined in  
30 section 478.16.

31 b. "Electric transmission owner" means the same as defined in  
32 section 478.16.

33 c. "Landowner" means the same as defined in section 478.2.

34 d. "Qualified individual" means someone who is capable and  
35 knowledgeable enough to determine compliance with the standards

1 set forth in this section.

2 2. The commission shall adopt rules pursuant to chapter 17A  
3 to administer this section, which shall include rules regarding  
4 the restoration of agricultural lands following the initial  
5 construction of an electric transmission line, as specified in  
6 subsection 3.

7 3. The commission shall adopt rules to implement the  
8 following requirements, which shall not apply within the  
9 corporate limits of a city or to any construction, activity, or  
10 electric transmission lines other than the initial construction  
11 of an electric transmission line with a voltage of two hundred  
12 or more kilovolts and for which an election to construct has been  
13 made under this section:

14 a. An electric transmission owner shall repair a damaged  
15 underground drain tile as soon as practicable during construction  
16 of the electric transmission line. Permanent repairs to the  
17 damaged underground drain tile shall be completed as soon as  
18 practicable after the initial construction of the electric  
19 transmission line is complete. The repairs made to the damaged  
20 drain tile shall be of at least equal quality, size, and flow  
21 capacity of the original drain tile.

22 b. Following the initial construction of an electric  
23 transmission line, the electric transmission owner shall remove  
24 from the easement area all rock larger than three inches in  
25 average diameter not native to the soil of the excavated land.  
26 The rock removed from the excavated land that cannot be used  
27 to backfill shall be disposed of at a location and in a manner  
28 agreed upon by the electric transmission owner and the landowner.

29 c. Upon completion of construction activities on a property,  
30 the electric transmission owner shall deep till agricultural  
31 land, including right-of-way access points or roads traversed by  
32 heavy construction equipment, to alleviate soil compaction. The  
33 land shall be tilled at least eighteen inches deep in land used  
34 for crop production and twelve inches deep in other lands unless  
35 otherwise agreed to by the landowner.

1     *d.* Upon completion of the electric transmission line, the  
2 electric transmission owner shall restore the soil conservation  
3 practices and structures damaged during construction of the  
4 electric transmission line to the elevation and grade existing  
5 on the land prior to the construction. The soil used to  
6 repair embankments intended to retain water shall be well  
7 compacted. Any vegetation disturbed during construction shall be  
8 reestablished, including cover crops when appropriate.

9     *e.* Following compaction of the land, agricultural land that  
10 is not in row crop or small grain production at the time of  
11 construction, including hay ground and land in conservation or  
12 set-aside programs, shall be reseeded and a cover crop shall  
13 be utilized when appropriate. Seeding for cover crops may be  
14 delayed if the construction of the electric transmission line  
15 is completed too late in the year for a cover crop to become  
16 established and is not required if the land will be tilled in  
17 the following year. The landowner may request ground cover to  
18 prevent soil erosion in areas where construction on the electric  
19 transmission line is completed if the season is not suitable for  
20 seeding a cover crop.

21     *f.* Unless agreed upon by the electric transmission owner  
22 and the landowner, the electric transmission owner shall remove  
23 field entrances or temporary roads built for the purpose of  
24 constructing the electric transmission line upon the completion  
25 of the initial construction and restore the area to its previous  
26 use.

27     *g.* An electric transmission owner shall use good utility  
28 practices for constructing the electric transmission line in  
29 wet conditions, such as electing to use matting or padding  
30 when utilizing heavy equipment. An electric transmission owner  
31 shall grade and till any rutted land to restore, to the extent  
32 practicable, the original condition of the land prior to the  
33 construction of the electric transmission line. If agreed  
34 upon by the electric transmission owner and the landowner, the  
35 landowner may repair any damage caused by construction activities

1 in wet conditions and the electric transmission owner shall  
2 reimburse the landowner for the reasonable cost incurred to  
3 repair the damage. If an electric transmission owner utilizes  
4 heavy equipment in wetlands or mudflats, mats or other measures  
5 shall be utilized to minimize soil disturbance.

6 h. For each electric transmission line, the electric  
7 transmission owner shall designate a point of contact for  
8 inquiries or claims from an affected person. The designation  
9 shall include a name, a telephone number, an email address, and  
10 an address.

11 4. a. If an electric transmission owner and a landowner  
12 dispute a potential violation of the restoration standards  
13 provided in subsection 3, the commission may appoint a qualified  
14 individual to inspect the property for compliance. If the  
15 qualified individual determines that there has been a violation  
16 of the applicable restoration standards, the commission shall  
17 provide oral notice, followed by written notice, to the electric  
18 transmission owner and the contractor operating for the electric  
19 transmission owner and order corrective action to comply with the  
20 restoration standards. The electric transmission owner shall be  
21 responsible for the costs of the corrective action.

22 b. If the electric transmission owner or the contractor  
23 for the electric transmission owner does not comply with a  
24 valid order for corrective action issued by the commission, the  
25 commission may issue an order requiring corrective action to be  
26 taken and may impose civil penalties under section 478.29.

27 c. The commission shall instruct the inspector appointed by  
28 the commission regarding the content of the statutes and rules  
29 and the responsibility of the inspector to require restoration  
30 conforming with the standards established in subsection 3.

31 5. a. A petitioner for a franchise for an electric  
32 transmission line shall file with the petition a written land  
33 restoration plan that documents how the requirements and rules of  
34 subsection 3 will be met. The petitioner shall provide a copy of  
35 the plan to all landowners of property that will be disturbed by



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

3       This bill relates to land restoration following the initial  
4 construction of electric transmission lines.

5       The bill directs the commission to adopt rules to implement  
6 the land restoration requirements after initial construction of  
7 an electric transmission line as set forth in the bill.

8       The bill requires electric transmission owners to repair drain  
9 tiles damaged during construction as soon as practicable and to  
10 complete permanent repairs as soon as practicable after initial  
11 construction. The permanent repairs must be of the same quality,  
12 size, and flow capacity as the original drain tile.

13       The bill requires electric transmission owners to remove all  
14 nonnative rocks larger than three inches in diameter from the  
15 easement area. The disposal of rock that cannot be used as  
16 backfill must be done at a location and in a manner agreed to  
17 between the electric transmission owner and the landowner.

18       The bill requires the electric transmission owner to  
19 till agricultural land affected by construction, including  
20 right-of-way access points or roads, after electric transmission  
21 line construction activities are completed on the affected  
22 property. The land must be tilled at least 18 inches deep in  
23 land used for crop production and 12 inches deep in all other  
24 land, unless otherwise agreed to by the landowner.

25       The bill requires the electric transmission owner to restore  
26 soil conservation practices and structures damaged during  
27 construction to their previous state, compact the soil used to  
28 repair embankments intended to retain water, and reestablish any  
29 vegetation disturbed during construction, including cover crops.

30       The bill requires the electric transmission owner to reseed  
31 the agricultural land, excluding row crops and small grain  
32 production, following compaction of the land. Seeding for cover  
33 crops may be delayed if construction is completed too late in  
34 the year, and is not required if the land will be tilled the  
35 following year. When the season is not suitable for the seeding

1 of cover crops, the landowner may request ground cover to prevent  
2 soil erosion.

3 The bill requires the electric transmission owner to remove  
4 all field entrances and temporary roads used during construction  
5 and to restore the areas to their previous state following the  
6 completion of the initial construction.

7 The bill requires the electric transmission owner to use good  
8 practices when constructing in wet conditions and to grade and  
9 till any rutted land in order to restore the land to its original  
10 condition to the extent practicable. Additionally, the bill  
11 allows the landowner to repair damage caused by construction  
12 in wet conditions. The electric transmission owner shall then  
13 reimburse the landowner for reasonable costs of repair. The  
14 bill requires an electric transmission owner to utilize mudflats,  
15 mats, or other measures to minimize soil disturbance when using  
16 heavy equipment in wetlands.

17 The bill requires the electric transmission owner to provide  
18 contact information to all persons affected by the construction  
19 of each transmission line.

20 The bill allows the commission to appoint an inspector to  
21 determine compliance with restoration standards in the event  
22 the electric transmission owner and the landowner dispute over  
23 potential violations. The cost of the inspection shall be paid  
24 by the electric transmission owner. If the inspector determines  
25 there have been violations of the restoration standards, the  
26 commission will provide oral and written notice to the electric  
27 transmission owner. The commission will order corrective actions  
28 be taken to comply with the standards. The costs of the  
29 corrective actions will be borne by the electric transmission  
30 owner.

31 The bill allows the commission to issue an order requiring  
32 corrective action and impose civil penalties if the electric  
33 transmission owner or its contractor do not comply with the  
34 required standards.

35 The bill requires the commission to instruct the inspectors on

1 the statutes, rules, and responsibilities regarding restoration  
2 standards.

3 The bill requires petitioners for a franchise for electric  
4 transmission construction to file a land restoration plan  
5 outlining how the construction will conform to the required  
6 standards. The restoration plan will also be provided to all  
7 property owners affected by the construction.

8 The bill allows alternative provisions in independent  
9 agreements with landowners regarding protecting or restoring  
10 property as long as these provisions are in writing and are  
11 provided to the commission.

12 The bill allows electric transmission owners to propose  
13 alternate methods of land restoration to the commission.  
14 The commission, by waiver, may allow variations to the land  
15 restoration requirements if the proposed alternate methods would  
16 restore the land to a condition as good or better than those  
17 required by the bill.

18 The bill allows the commission to waive the preparation of  
19 a separate land restoration plan, in whole or in part, if the  
20 electric transmission owner satisfies the requirements through  
21 similar agreement with other agencies in the state. The relevant  
22 agreements must be filed with the commission.

23 The bill does not limit, expand, or otherwise modify the  
24 rights of access and obligations for damages set forth in Code  
25 section 478.17.

26 The bill takes effect upon enactment.

27 The bill applies retroactively to an electric transmission  
28 line included in a federally registered planning authority  
29 long-term transmission plan approved on or after July 1, 2020.