

House File 2181 - Introduced

HOUSE FILE 2181
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HF 304)
(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:

1 Section 1. Section 476.91, Code 2026, 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~~
10 ~~from calls placed by end-user customers from telephones~~
11 ~~other than ordinary residence or business telephones. The~~
12 ~~definition is further limited to include only companies which~~
13 ~~provide operator assistance, either through live or automated~~
14 ~~intervention, on calls placed from other than ordinary~~
15 ~~residence or business telephones, and does not include services~~
16 ~~provided under contract to rate-regulated local exchange~~
17 ~~utilities.~~

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

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

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

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

1 state or another state.

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

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

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

28 4. ~~Billing by local exchange utilities.~~ Notwithstanding
29 any finding by the commission that a service or facility is
30 subject to competition and should be deregulated pursuant
31 to section 476.1, a regulated local exchange utility shall
32 not perform billing and collection functions relating
33 to regulated telecommunications services provided by an
34 alternative operator services company, unless the alternative
35 operator services company has filed a statement with the local

1 ~~exchange utility signed by a corporate officer, or other~~
2 ~~authorized person having personal knowledge, that all regulated~~
3 ~~telecommunications services to be billed shall be rendered~~
4 ~~pursuant to tariffs approved by the commission.~~

5 Sec. 2. Section 478.7, Code 2026, is amended to read as
6 follows:

7 **478.7 Form of franchise.**

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

21

EXPLANATION

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

24 This bill relates to telecommunications and electronic
25 transmission services.

26 Under current law, Code section 476.91 pertains to
27 all alternative operator services. Alternative operator
28 services companies are currently defined as nongovernmental
29 companies that receive more than half of their Iowa intrastate
30 telecommunications services revenues from calls placed
31 by end-user customers from telephones other than ordinary
32 residence or business telephones. The definition is further
33 limited to include only companies which provide operator
34 assistance, either through live or automated intervention, on
35 calls placed from other than ordinary residence or business

1 telephones, and does not include services provided under
2 contract to rate-regulated local exchange utilities.

3 The bill revises the scope of alternative operator services
4 regulation by limiting its application only to incarcerated
5 person calling services. The bill removes and adds definitions
6 and makes corresponding changes in the Code section to conform
7 to this revision.

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