

**House File 2227 - Introduced**

HOUSE FILE 2227  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 526)

**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:

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  
6 future operation and maintenance, including inspections for  
7 compliance with the standards adopted under section 478.34  
8 after restoration of the land is complete.

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

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

27 Sec. 2. NEW SECTION. 478.34 Land restoration.

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

30 a. "*Electric transmission line*" means a high-voltage  
31 electric transmission line with a capacity of two hundred  
32 kilovolts or more that has been approved on or after July  
33 1, 2022, for construction in a federally registered planning  
34 authority transmission plan with costs allocated regionally.

35 b. "*Electric transmission owner*" means an individual or

1 entity who owns and maintains an electric transmission line.

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

3 *d.* "Qualified individual" means someone who is capable and  
4 knowledgeable enough to determine compliance with the standards  
5 set forth in this section.

6 2. The commission shall adopt rules pursuant to [chapter 17A](#)  
7 to administer [this section](#), which shall include rules regarding  
8 the restoration of agricultural lands following the initial  
9 construction of an electric transmission line, as specified in  
10 subsection 3.

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

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

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

34 *c.* Upon completion of construction activities on a property,  
35 the electric transmission owner shall deep till agricultural

1 land, including right-of-way access points or roads traversed  
2 by heavy construction equipment, to alleviate soil compaction.  
3 The land shall be tilled at least eighteen inches deep in land  
4 used for crop production and twelve inches deep in other lands  
5 unless otherwise agreed to by the landowner.

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

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

26 *f.* Unless agreed upon by the electric transmission owner  
27 and the landowner, the electric transmission owner shall remove  
28 field entrances or temporary roads built for the purpose of  
29 constructing the electric transmission line upon the completion  
30 of the initial construction and restore the area to its  
31 previous use.

32 *g.* An electric transmission owner shall use good utility  
33 practices for constructing the electric transmission line in  
34 wet conditions, such as electing to use matting or padding when  
35 utilizing heavy equipment. An electric transmission owner

1 shall grade and till any rutted land to restore, to the extent  
2 practicable, the original condition of the land prior to the  
3 construction of the electric transmission line. If agreed  
4 upon by the electric transmission owner and the landowner,  
5 the landowner may repair any damage caused by construction  
6 activities in wet conditions and the electric transmission  
7 owner shall reimburse the landowner for the reasonable cost  
8 incurred to repair the damage. If an electric transmission  
9 owner utilizes heavy equipment in wetlands or mudflats, mats or  
10 other measures shall be utilized to minimize soil disturbance.

11 *h.* For each electric transmission line, the electric  
12 transmission owner shall designate a point of contact for  
13 inquiries or claims from an affected person. The designation  
14 shall include a name, a telephone number, an email address, and  
15 an address.

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

28 *b.* If the electric transmission owner or the contractor  
29 for the electric transmission owner does not comply with a  
30 valid order for corrective action issued by the commission, the  
31 commission may issue an order requiring corrective action to be  
32 taken and may impose civil penalties under section 478.29.

33 *c.* The commission shall instruct the inspector appointed by  
34 the commission regarding the content of the statutes and rules  
35 and the responsibility of the inspector to require restoration

1 conforming with the standards established in subsection 3.

2 5. *a.* A petitioner for a franchise for an electric  
3 transmission line shall file with the petition a written land  
4 restoration plan that documents how the requirements and rules  
5 of subsection 3 will be met. The petitioner shall provide a  
6 copy of the plan to all landowners of property that will be  
7 disturbed by the initial construction.

8 *b.* Nothing in this section shall preclude the application  
9 of provisions for protecting or restoring property that are  
10 different than those prescribed in subsection 3, in rules  
11 adopted under subsection 3, or in the land restoration plan,  
12 if the alternative provisions are contained in agreements  
13 independently executed by the electric transmission owner and  
14 the landowner. Independent agreements for land restoration  
15 between the electric transmission owner and the landowner shall  
16 be in writing and provided to the commission.

17 *c.* The commission may by waiver allow variations from the  
18 requirements of subsection 3 if the electric transmission  
19 owner requesting a waiver satisfies the standards set forth  
20 in section 17A.9A and if the alternative methods proposed  
21 by the electric transmission owner would restore the land  
22 to a condition as good as or better than as provided for in  
23 subsection 3.

24 *d.* The commission may waive preparation of a separate land  
25 restoration plan if the electric transmission owner enters into  
26 an agricultural impact mitigation plan or similar agreement  
27 with the appropriate agencies of this state that satisfies  
28 the requirements of subsection 3. If a mitigation plan or  
29 agreement is used to fully or partially meet the requirements  
30 of a land restoration plan, the statement or agreement shall  
31 be filed with the commission and shall be considered to be,  
32 or to be part of, the land restoration plan for purposes of  
33 subsection 3.

34 6. Nothing in this section shall limit, expand, or otherwise  
35 modify the rights of access and obligations for damages set

1 forth in section 478.17.

2 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate  
3 importance, takes effect upon enactment.

4 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies  
5 retroactively to transmission lines included in a federally  
6 registered planning authority long-term transmission plan  
7 approved on or after July 1, 2022.

8 EXPLANATION

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

11 This bill relates to land restoration following the initial  
12 construction of electric transmission lines.

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

16 The bill requires electric transmission owners to repair  
17 drain tiles damaged during construction as soon as practicable  
18 and to complete permanent repairs as soon as practicable after  
19 initial construction. The permanent repairs must be of the  
20 same quality, size, and flow capacity as the original drain  
21 tile.

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

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

34 The bill requires the electric transmission owner to restore  
35 soil conservation practices and structures damaged during

1 construction to their previous state, compact the soil used to  
2 repair embankments intended to retain water, and reestablish  
3 any vegetation disturbed during construction, including cover  
4 crops.

5 The bill requires the electric transmission owner to reseed  
6 the agricultural land, excluding row crops and small grain  
7 production, following compaction of the land. Seeding for  
8 cover crops may be delayed if construction is completed too  
9 late in the year, and is not required if the land will be tilled  
10 the following year. When the season is not suitable for the  
11 seeding of cover crops, the landowner may request ground cover  
12 to prevent soil erosion.

13 The bill requires the electric transmission owner to  
14 remove all field entrances and temporary roads used during  
15 construction and to restore the areas to their previous state  
16 following the completion of the initial construction.

17 The bill requires the electric transmission owner to use  
18 good practices when constructing in wet conditions and to grade  
19 and till any rutted land in order to restore the land to its  
20 original condition to the extent practicable. Additionally,  
21 the bill allows the landowner to repair damage caused by  
22 construction in wet conditions. The electric transmission  
23 owner shall then reimburse the landowner for reasonable costs  
24 of repair. The bill requires an electric transmission owner  
25 to utilize mudflats, mats, or other measures to minimize soil  
26 disturbance when using heavy equipment in wetlands.

27 The bill requires the electric transmission owner to provide  
28 contact information to all persons affected by the construction  
29 of each transmission line.

30 The bill allows the commission to appoint an inspector to  
31 determine compliance with restoration standards in the event  
32 the electric transmission owner and the landowner dispute over  
33 potential violations. The cost of the inspection shall be  
34 paid by the electric transmission owner. If the inspector  
35 determines there have been violations of the restoration

1 standards, the commission will provide oral and written notice  
2 to the electric transmission owner. The commission will order  
3 corrective actions be taken to comply with the standards. The  
4 costs of the corrective actions will be borne by the electric  
5 transmission owner.

6 The bill allows the commission to issue an order requiring  
7 corrective action and impose civil penalties if the electric  
8 transmission owner or its contractor do not comply with the  
9 required standards.

10 The bill requires the commission to instruct the inspectors  
11 on the statutes, rules, and responsibilities regarding  
12 restoration standards.

13 The bill requires petitioners for a franchise for electric  
14 transmission construction to file a land restoration plan  
15 outlining how the construction will conform to the required  
16 standards. The restoration plan will also be provided to all  
17 property owners affected by the construction.

18 The bill allows alternative provisions in independent  
19 agreements with landowners regarding protecting or restoring  
20 property as long as these provisions are in writing and are  
21 provided to the commission.

22 The bill allows electric transmission owners to propose  
23 alternate methods of land restoration to the commission.  
24 The commission, by waiver, may allow variations to the land  
25 restoration requirements if the proposed alternate methods  
26 would restore the land to a condition as good or better than  
27 those required by the bill.

28 The bill allows the commission to waive the preparation of  
29 a separate land restoration plan, in whole or in part, if the  
30 electric transmission owner satisfies the requirements through  
31 similar agreement with other agencies in the state. The  
32 relevant agreements must be filed with the commission.

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

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1 The bill takes effect upon enactment.

2 The bill applies retroactively to an electric transmission

3 line included in a federally registered planning authority

4 long-term transmission plan approved on or after July 1, 2022.