

House File 861 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 182)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the provision of telecommunications services
2 through a telecommunications system owned or operated by a
3 city, city utility, combined city utility, city enterprise, or
4 combined city enterprise, and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 HF 861
7 kk/es/25

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1 1 Section 1. Section 388.10, subsection 1, paragraph a, Code
1 2 2005, is amended by adding the following new subparagraph:
1 3 NEW SUBPARAGRAPH. (5) (a) Allow telecommunications
1 4 services to be provided through a telecommunications system
1 5 owned or operated by a city, city utility, combined city
1 6 utility, city enterprise, or combined city enterprise by a
1 7 provider other than the city, city utility, combined city
1 8 utility, city enterprise, or combined city enterprise, or a
1 9 private investor providing or obligated to provide fifty
1 10 percent or more of the telecommunications system's funding,
1 11 either directly, through a joint venture, or otherwise, unless
1 12 all of the following requirements are satisfied:
1 13 (i) The proposal is submitted to the voters of the city
1 14 for approval pursuant to section 388.2.
1 15 (ii) At least thirty days prior to the election for voter
1 16 approval of the proposal, a full cost benefit analysis is made
1 17 available to the voters which includes but is not limited to
1 18 the fully anticipated cost of the provision of such
1 19 telecommunications services, the projected public debt, and an
1 20 explanation of how the public debt will be financed.
1 21 (iii) At least twenty days prior to the election for voter
1 22 approval of the proposal but after the cost benefit analysis
1 23 is made available to the voters, a public hearing is held
1 24 regarding the proposal.
1 25 (iv) Prior to the issuance of public debt for the
1 26 proposal, a financing plan for the proposal has been approved
1 27 by a majority of the voters of the city.
1 28 (b) This subparagraph shall not apply to a
1 29 telecommunications system owned or operated by a city, city
1 30 utility, combined city utility, city enterprise, or combined
1 31 city enterprise approved by voters pursuant to section 388.2
1 32 on or before January 1, 2005.
1 33 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 34 immediate importance, takes effect upon enactment.
1 35 HF 861
2 1 kk/es/25