HOUSE FILE 586
BY COMMITTEE ON ECONOMIC GROWTH

(SUCCESSOR TO HSB 53)

(As Amended and Passed by the House March 23, 2021)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to the development and utilization of high-speed electronic transmission mediums.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

*1 [Section 1. Section 8B.25, subsection 2, Code 2021, is
2 amended to read as follows:
3 2. The office shall lead and coordinate a program to provide
4 for the installation of fiberoptic network conduit where such
5 conduit does not exist. The chief information officer shall
6 consult and coordinate with applicable agencies and entities,
7 including public utilities as defined in section 476.1, the
8 state department of transportation, the economic development
9 authority, county boards of supervisors, municipal governing
10 bodies, the farm-to-market review board, county conservation
11 boards, and the boards, commissions, or agencies in control
12 of state parks, as determined appropriate to ensure that the
13 opportunity is provided to lay or install fiberoptic network
14 conduit wherever a state-funded construction project involves
15 trenching, boring, a bridge, a roadway, or opening of the
16 ground, or alongside any state-owned infrastructure.]
17 Sec. 2. NEW SECTION. **15E.167 Broadband forward and
18 telecommuter forward — certifications.**
19 1. As used in this section, unless the context requires
20 otherwise:
21 *a. "Broadband"* means the same as defined in section 8B.1.
22 *b. "Broadband infrastructure"* means the same as defined in
23 section 8B.1.
24 *c. "Communications service provider"* means a service
25 provider that provides broadband service.
26 *d. "Political subdivision"* means a city, county, or
27 township.
28 2. The authority shall establish the following
29 certification programs:
30 *a.* Broadband forward certification, with the objective of
31 encouraging political subdivisions to further develop broadband
32 infrastructure and access to broadband.
33 *b.* Telecommuter forward certification, with the objective
34 of encouraging political subdivisions to further develop and
35 promote the availability of telecommuting.

3. To obtain broadband forward certification, a political subdivision shall submit to the authority, on forms prescribed by the authority by rule, an application indicating the following:

a. The political subdivision's support and commitment to promote the availability of broadband.

b. Existing or proposed ordinances encouraging the further development of broadband infrastructure and access to broadband.

c. Efforts to secure local funding for the further development of broadband infrastructure and access to broadband.

d. A single point of contact for all matters related to broadband and broadband infrastructure.

4. A single point of contact designated in an application submitted pursuant to subsection 3 shall be responsible for all of the following:

a. Coordination and partnership with the authority, communications service providers, realtors, economic development professionals, employers, employees, and other broadband stakeholders.

b. Collaboration with the authority, communication service providers, and employers to identify, develop, and market broadband packages available in the political subdivision.

c. Familiarity with broadband mapping tools and other state-level resources.

d. Maintaining regular communication with the authority.

e. Providing to the political subdivision regular reports regarding the availability of broadband in the political subdivision.

5. A political subdivision that the authority has certified as a broadband forward community under subsection 3 shall not do any of the following:

a. Require an applicant to designate a final contractor to complete a broadband infrastructure project.

b. Impose a fee to review an application or issue a permit for a broadband infrastructure application in excess of one hundred dollars.

c. Impose a moratorium of any kind on the approval of applications and issuance of permits for broadband infrastructure projects or on construction related to broadband infrastructure.

d. Discriminate among communications service providers, or public utilities with respect to any action described in this section or otherwise related to broadband infrastructure, including granting access to public rights-of-way, infrastructure and poles, river and bridge crossings, or any other physical assets owned or controlled by the political subdivision.

e. As a condition for approving an application or issuing a permit for a broadband infrastructure project or for any other purpose, require the applicant to do any of the following:

(1) Provide any service or make available any part of the broadband infrastructure to the political subdivision.

(2) Except for the fee allowed under paragraph "*b*" of this subsection, make any payment to or on behalf of the political subdivision.

6. To obtain telecommuter forward certification, a political subdivision shall submit to the authority, on forms prescribed by the authority by rule, an application indicating the following:

a. The political subdivision's support and commitment to promote the availability of telecommuting options.

b. Existing or proposed ordinances encouraging the further development of telecommuting options.

c. Efforts to secure local funding for the further development of telecommuting options.

d. A single point of contact for coordinating telecommuting opportunities and options:

7. A single point of contact designated in an application

submitted pursuant to subsection 6 shall be responsible for all of the following:

a. Coordination and partnership with the authority, communications service providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.

b. Collaboration with the authority, communication service providers, and employers to identify, develop, and market telecommuter-capable broadband packages available in the political subdivision.

c. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision submits the application.

d. Familiarity with broadband mapping tools and other state-level resources.

e. Maintaining regular communication with the authority.

f. Providing to the political subdivision regular reports regarding the availability of telecommuting options in the political subdivision.

8. The authority shall develop criteria for evaluating an application for both forms of certification and the awarding of certificates. The criteria shall take into account, at a minimum, the applicant's individual circumstances and the economic goals of the applicant. The authority shall consult with local government entities and local economic development officials when evaluating an application.

9. The authority shall adopt rules pursuant to chapter 17A for the implementation of this section.