

Red Tape Review Rule Report (Due: September 1, 20 26)

Department Name:	Iowa Communications Network (ICN)	Date:	5/13/2026	Total Rule Count:	5
IAC #:	751	Chapter/ SubChapter/ Rule(s):	Chapter 10	Iowa Code Section Authorizing Rule:	8D.2, 8D.3(3)b, 8D.9, 8D.13
Contact Name:	Lori Larsen	Email:	Lori.larsen@icn.state.ia.us	Phone:	515-725-4713

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The chapter describes the acceptable use policies and enforcement procedures for authorized users of the statewide network.

Is the benefit being achieved? Please provide evidence.

Yes. The qualitative impact is positive; the rulemaking simplifies the regulatory environment by removing obsolete language and providing clearer guidance on network enforcement. It successfully establishes that network access is a statutory privilege rather than a vested property right, creates highly transparent protocols for service suspension and decertification to protect network security, and explicitly enables strict content privacy protections for network users.

What are the costs incurred by the public to comply with the rule?

There is no direct cost associated with the proposed rulemaking.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the State or the agency associated with this rulemaking.

Do the costs justify the benefits achieved? Please explain.

Yes. This rulemaking ensures the agency has a basic structure and has no costs associated with it.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The agency seeks to implement these rules in a minimally intrusive and minimally prescriptive manner while still fulfilling the responsibilities of maintaining a well-run state communications network. No other methods were considered as the proposed rulemaking is necessary to comply with Executive Order 10's mandate to streamline and modernize existing rules.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

Yes. 751—Chapter 10 (Entire legacy chapter). The previous iteration of the chapter featured an overly verbose title and contained outdated administrative mechanisms regarding warnings, probations, and custom notice delivery procedures. Redundant phrasing and unnecessary legalese were eliminated to streamline the enforcement framework.

RULES PROPOSED FOR REPEAL (list rule number[s]):

Rescind 751—Chapter 10 in its entirety

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

Adopt the following new chapter in lieu thereof:

CHAPTER 10 Acceptable Use and Enforcement

751—10.1(8D) Policy and authorized use.

10.1(1) *Privilege, not a right.* The ability to use the network is a privilege conferred by law to authorized users. It is not a vested property right. The commission may suspend or revoke access for violation of these rules or applicable law.

10.1(2) *Acceptable use.* Authorized users shall ensure that their use of the network complies with all applicable state and federal laws, the written mission of the authorized user, and the commission’s acceptable use policies.

751—10.2(8D) Violations. The commission may suspend, revoke, or limit services to an authorized user for any of the following reasons:

- a. Failure to pay for services rendered.
- b. Use of the network for personal, commercial, or political purposes not authorized by law.
- c. Allowing an unauthorized user to access the network.
- d. Violation of the commission’s technical standards or security protocols.
- e. Any conduct prejudicial to the security or operation of the network.

751—10.3(8D) Enforcement procedure.

10.3(1) *Notice.* In the event of a violation, the executive director shall provide written notice to the authorized user describing the violation and requesting a remedy.

10.3(2) *Immediate suspension.* The commission may immediately suspend service without prior notice if the violation poses an immediate threat to the security or stability of the network.

10.3(3) *Decertification.* If a violation is not remedied or is habitual, the commission may revoke the user’s authorization to connect to the network.

751—10.4(8D) Appeals. An authorized user aggrieved by a suspension or revocation may appeal the decision in accordance with the contested case procedures in 7—Chapter 2506.

751—10.5(8D) Privacy and content monitoring. The commission and its staff shall not monitor the content of transmissions on the network. Monitoring may only occur when necessary to effect trouble isolation and correction, or to investigate a security violation or threat to the integrity of the network. Any such monitoring shall be kept to the absolute minimum necessary to resolve the issue.

These rules are intended to implement sections 8D.2, 8D.3(3)“b”, 8D.9 and 8D.13(14) to 8D.13(17).

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	437
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	4

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Yes. We recommend a comprehensive update to Iowa Code Chapter 8D to modernize the statute, streamline legacy code, and align the agency's authorizing framework with current technology and state government structures.