

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 17	Iowa Code Section Authorizing Rule:	8D.3, 8D.11, 23A.2
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The chapter outlines specific administrative, operational, and financial functions of the agency, including asset disposal, network topology definitions, shared use agreements, and billing services.

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 for specific administrative, operational, and financial functions of the agency. It establishes clear operational authority for managing the Parts I, II, and III infrastructure, streamlines obsolete asset disposal to maximize return value to the state, and successfully preserves shared-use agreements and billing authorities for critical public safety and municipal connectivity.

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Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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 17 (Entire legacy chapter). The legacy text contained obsolete restrictions and redundant parameters regarding day-to-day administrative responsibilities. Unnecessary legalese was eliminated to create a highly optimized operational rule.

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

Rescind 751—Chapter 17 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 17 Miscellaneous

751—17.1(8D) Purpose. This chapter outlines specific administrative, operational, and financial functions of the agency, including asset disposal, network topology definitions, shared use agreements, and billing services.

751—17.2(8D) Network parts and right-of-way. The agency shall manage and operate the state communications network, which consists of Part I, Part II, and Part III fiber optic infrastructure as defined in Iowa Code section 8D.13. To facilitate the maintenance and expansion of these network parts, the executive director may negotiate and enter into necessary space and right-of-way agreements.

751—17.3(8D) Transfer and disposal of assets.

17.3(1) The executive director may dispose of property or equipment under the agency's ownership or control when it becomes unnecessary, obsolete, or unfit for further use.

17.3(2) The agency may dispose of unnecessary or unfit property by sale, auction, broker, trade, consignment, or any other manner that maximizes the value to the state and fairly disposes of the property. Proceeds from the disposition of the property shall be retained by the agency.

751—17.4(8D) Partnerships and shared use agreements.

17.4(1) The executive director may enter into shared use agreements or partnerships with public or private entities, including cities, municipalities, and other non-authorized users, to maximize the operational efficiency of the network.

17.4(2) Such partnerships shall be established to facilitate shared data connectivity, emergency management interoperability, or public safety services, provided such agreements do not violate statutory prohibitions against the provision of retail commercial services.

751—17.5(8D) Billing services.

17.5(1) Billing on behalf of an authorized user. The agency may invoice and collect fees on behalf of an authorized user for services provided across the network.

17.5(2) Billing for shared use and space agreements. The agency shall possess the authority to generate

invoices, collect payments, and manage financial accounts for non-authorized users operating under a valid shared use agreement, right-of-way agreement, or space collocation agreement.

These rules are intended to implement Iowa Code section 23A.2, 8D.3 and 8D.11

****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	951
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	9

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.