

## Red Tape Review Rule Report

### (Due: September 1, 2025)

<b>Department Name:</b>	IEDA	<b>Date:</b>	6/13/25	<b>Total Rule Count:</b>	7
<b>IAC #:</b>	261	<b>Chapter/ SubChapter/ Rule(s):</b>	Chapter 24	<b>Iowa Code Section Authorizing Rule:</b>	15E.167
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

#### What is the intended benefit of the rule?

The intended benefit of chapter 24 is to describe the policies and procedures applicable to broadband forward and telecommuter forward certifications. The purpose of the broadband forward certification is to encourage political subdivisions to further develop broadband infrastructure and access to broadband. The purpose of the telecommuter forward certification is to encourage political subdivisions to further develop and promote the availability of telecommuting.

#### Is the benefit being achieved? Please provide evidence.

No. No funding has been appropriated for the program since its creation in 2021 and IEDA lacks sufficient expertise to administer the program.

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

Political subdivisions interested in applying for the program may require staff time to complete an application for certification. Certified political subdivisions may similarly incur costs to comply with reporting and monitoring requirements of the program. Some applicants/recipients may choose to rely on an external service provider to complete these tasks. The amount of the costs will vary, depending on the compensation of staff or service providers involved.

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

To implement the program, IEDA would need to contract with a consultant with expertise in broadband as that expertise is outside the scope of IEDA's responsibilities. IEDA staff time would also be required to administer any functions not delegated to a consultant.

#### Do the costs justify the benefits achieved? Please explain.

Yes. Only entities that will potentially benefit from the program incur any costs.

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 application and administrative requirements of the rules are no more than necessary to implement the purposes of the program.

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]

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Yes.

Rules 24.1 and 24.2 are unnecessary and can be rescinded.

Rule 24.3 should be updated eliminate repetition of statutory language and for clarity.

Rule 24.4 should be updated to incorporate IEDA's current web site and for clarity.

Rule 24.5 should be updated eliminate repetition of statutory language and for clarity.

Rule 24.6 should be updated eliminate repetition of statutory language and for clarity.

Rule 24.7 should be updated eliminate repetition of statutory language and for clarity.

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

24.1

24.2

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

CHAPTER 24  
BROADBAND FORWARD AND TELECOMMUTER FORWARD CERTIFICATIONS

**261—24.1(15E) Definitions.**

“*Applicant*” means a political subdivision that submits an application to the authority for a broadband forward certification or telecommuter forward certification.

“*Authority*” means the economic development authority created in Iowa Code section 15.105.

“*Broadband*” means the same as defined in Iowa Code section 8.76.

“*Broadband infrastructure*” means the same as defined in Iowa Code section 8.76.

“*Certification*” means a certificate issued to a political subdivision pursuant to this chapter.

“*Political subdivision*” means the same as defined in Iowa Code section 15E.167.

“*Program*” means the broadband forward and telecommuter forward certification program established pursuant to Iowa Code section 15E.167 and this chapter.

**261—24.2(15E) Application; review; approval.**

**24.2(1) Application.** The authority will develop a standardized application process and make information on applying available on the authority’s website at [www.opportunityiowa.gov](http://www.opportunityiowa.gov). To apply for certification under the program, a political subdivision shall submit an application to the authority in the form and manner prescribed by the authority. A political subdivision may apply for broadband forward certification and telecommuter forward certification concurrently.

**24.2(2) Review.** The authority will review each complete application to determine whether an applicant meets the criteria for certification.

**24.2(3) Approval.** The authority may approve, deny or defer applications for certification. If the authority approves an application for certification, the authority will issue a broadband forward or telecommuter forward certificate and assist the political subdivision in publicizing its certification.

**261—24.3(15E) Broadband forward certification.**

**24.3(1)** To obtain broadband forward certification, a political subdivision shall submit an application to the authority that meets the criteria in Iowa Code section 15E.167(3).

**24.3(2)** A political subdivision applying for certification shall designate a single point of contact with the responsibilities described in Iowa Code section 15E.167(4).

**24.3(3)** The authority will evaluate whether the applicant demonstrates that its efforts or proposed efforts to develop broadband infrastructure and access to broadband will have a sufficient impact that warrants certification.

**261—24.4(15E) Telecommuter forward certification.**

**24.4(1)** A political subdivision that meets the criteria for broadband forward certification may apply for telecommuter forward certification. To obtain telecommuter forward certification, a political subdivision shall submit an application to the authority that meets the criteria in Iowa Code section 15E.167(6).

**24.4(2)** A political subdivision applying for certification shall designate a single point of contact designated with the responsibilities described in Iowa Code section 15E.167(7).

**24.4(3)** The authority will evaluate whether the applicant demonstrates that its efforts or proposed efforts to further develop and promote the availability of telecommuting will have a sufficient impact that warrants certification.

**261—24.5(15E) Maintenance of certification.**

**24.5(1) Reports.** A political subdivision certified pursuant to this chapter shall submit an annual report to the authority verifying its continued eligibility for certification pursuant Iowa Code section 15E.167. If applicable, the report will also address a political subdivision’s compliance with the restrictions in Iowa Code section 15E.167(5).

**24.5(3) Revocation of certification.** The authority shall revoke the certification of a political subdivision that does not comply with the requirements of Iowa Code section 15E.167 or that the authority otherwise determines is no longer eligible for certification pursuant to this chapter.

These rules are intended to implement Iowa Code section 15E.167.

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

#### METRICS

Total number of rules repealed:	2
Proposed word count reduction after repeal and/or re-promulgation	583
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	5

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

Funding should be appropriated for the program to allow IEDA to contract for sufficient expertise to administer the program or the program should be transferred to the department of management, division of information technology. Alternatively, the program could be eliminated.