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COMMERCE

SENATE FILE 2186  
BY DOTZLER, HANCOCK,  
and DANIELSON

(COMPANION TO LSB 5933HH  
BY KRESSIG)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to public safety communications, providing for  
2 utilization of the Iowa communications network for public  
3 safety interoperability purposes, and establishing an Iowa  
4 statewide interoperable radio system board.

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

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1 Section 1. Section 8D.2, subsection 5, paragraph a, Code  
2 Supplement 2005, is amended to read as follows:

3 a. "Public agency" means a state agency, an institution  
4 under the control of the board of regents, the judicial branch  
5 as provided in section 8D.13, subsection 17, a school  
6 corporation, a city library, a library service area as  
7 provided in chapter 256, a county library as provided in  
8 chapter 336, or a judicial district department of correctional  
9 services established in section 905.2, to the extent provided  
10 in section 8D.13, subsection 15, an agency of the federal  
11 government, or a United States post office which receives a  
12 federal grant for pilot and demonstration projects, or a city  
13 or county on behalf of a law enforcement agency, professional  
14 or volunteer fire department, or emergency medical care  
15 provider as defined in section 147A.1, strictly for the  
16 purpose of connecting disparate communications systems to  
17 provide for a multiagency or multijurisdictional public safety  
18 response.

19 Sec. 2. Section 8D.9, Code Supplement 2005, is amended by  
20 adding the following new subsection:

21 NEW SUBSECTION. 5. A city or county on behalf of a law  
22 enforcement agency, professional or volunteer fire department,  
23 or emergency medical care provider as defined in section  
24 147A.1, shall be authorized to access the Iowa communications  
25 network for connection of disparate communications systems  
26 between public agencies to provide for a multiagency or  
27 multijurisdictional public safety response.

28 Sec. 3. Section 8D.13, Code Supplement 2005, is amended by  
29 adding the following new subsection:

30 NEW SUBSECTION. 20. A city or county accessing the  
31 network on behalf of a law enforcement agency, professional or  
32 volunteer fire department, or emergency medical care provider  
33 for the purpose of connecting disparate communications systems  
34 to provide for a multiagency or multijurisdictional public  
35 safety response pursuant to section 8D.9, subsection 5, shall

1 be responsible for all costs associated with becoming a part  
2 of the network.

3 Sec. 4. NEW SECTION. 80.28 STATEWIDE INTEROPERABLE RADIO  
4 SYSTEM BOARD -- ESTABLISHED -- MEMBERS.

5 1. BOARD ESTABLISHED. A statewide interoperable radio  
6 system board is established, under the joint purview of the  
7 department and the state department of transportation. The  
8 board shall develop, implement, and oversee policy,  
9 operations, and fiscal components of communications  
10 interoperability efforts at the state and local level, and  
11 coordinate with similar efforts at the federal level, with the  
12 ultimate objective of developing and overseeing the operation  
13 of a statewide integrated public safety communications  
14 interoperability system. For the purposes of this section and  
15 section 80.29, "interoperability" means the ability of public  
16 safety and public services personnel to communicate and to  
17 share data on an immediate basis, on demand, when needed, and  
18 when authorized.

19 2. MEMBERS. The board shall consist of fifteen voting  
20 members, as follows:

21 a. The following members representing state agencies:

22 (1) One member representing the department of public  
23 safety, who shall serve as chairperson.

24 (2) One member representing the state department of  
25 transportation, who shall serve as vice chairperson.

26 (3) One member representing the homeland security and  
27 emergency management division.

28 (4) One member representing the department of corrections.

29 (5) One member representing the department of natural  
30 resources.

31 (6) One member representing the Iowa department of public  
32 health.

33 b. The following members, to be appointed by the governor:

34 (1) Two members who are chiefs of police.

35 (2) Two members who are sheriffs.

1 (3) Two members who are fire chiefs.

2 (4) Two law enforcement communications experts employed by  
3 state or local government agencies.

4 (5) One at-large member.

5 Board members shall be appointed in compliance with  
6 sections 69.16 and 69.16A. The members appointed by the  
7 governor shall be appointed to three-year staggered terms and  
8 the terms shall commence and end as provided by section 69.19.  
9 If a vacancy occurs, a successor shall be appointed to serve  
10 the unexpired term. A successor shall be appointed in the  
11 same manner and subject to the same qualifications as the  
12 original appointment to serve the unexpired term. Members of  
13 the board are entitled to receive reimbursement for actual  
14 expenses incurred while engaged in the performance of official  
15 duties from funds appropriated to the department of public  
16 safety and the state department of transportation for that  
17 purpose. The departments shall enter into an agreement to  
18 provide administrative assistance and support to the board.

19 Sec. 5. NEW SECTION. 80.29 BOARD DUTIES.

20 The statewide interoperable radio system board established  
21 in section 80.28 shall:

22 1. Implement and maintain organizational and operational  
23 elements of the board, including staffing and program  
24 activity.

25 2. Review and monitor communications interoperability  
26 performance and service levels on behalf of agencies.

27 3. Establish, monitor, and maintain appropriate policies  
28 and protocols to ensure that interoperable communications  
29 systems function properly.

30 4. Allocate and oversee state appropriations or other  
31 funding received for interoperable communications.

32 5. Identify sources for ongoing, sustainable, longer-term  
33 funding for communications interoperability projects,  
34 including available and future assets that will leverage  
35 resources and provide incentives for communications

1 interoperability participation, and develop and obtain  
2 adequate funding in accordance with a communications  
3 interoperability sustainability plan.

4 6. Develop and evaluate potential legislative solutions to  
5 address the funding and resource challenges of implementing  
6 statewide communications interoperability initiatives.

7 7. Develop a statewide integrated public safety  
8 communications interoperability system that allows for shared  
9 communications systems and costs, takes into account  
10 infrastructure needs and requirements, improves reliability,  
11 and addresses liability concerns of the shared network.

12 8. Investigate data and video interoperability systems.

13 9. Expand, maintain, and fund consistent, periodic  
14 training programs for current communications systems and for  
15 the statewide integrated public safety communications  
16 interoperability system as it is implemented.

17 10. Expand, maintain, and fund stakeholder education,  
18 public education, and public official education programs to  
19 demonstrate the value of short-term communications  
20 interoperability solutions, and to emphasize the importance of  
21 developing and funding long-term solutions, including  
22 implementation of the statewide integrated public safety  
23 communications interoperability system.

24 11. Identify, promote, and provide incentives for  
25 appropriate collaborations and partnerships among government  
26 entities, agencies, businesses, organizations, and  
27 associations, both public and private, relating to  
28 communications interoperability.

29 12. Provide incentives to support maintenance and  
30 expansion of regional efforts to promote implementation of the  
31 statewide integrated public safety communications  
32 interoperability system.

33 13. Submit a report by January 1, annually, to the members  
34 of the general assembly regarding communications  
35 interoperability efforts, activities, and effectiveness at the

1 local and regional level, and shall include a status report  
2 regarding the development of a statewide integrated public  
3 safety communications interoperability system, and funding  
4 requirements relating thereto.

5

EXPLANATION

6 This bill concerns public safety communications and  
7 enhancement of statewide communications interoperability  
8 efforts.

9 The bill provides that for purposes of accessing the Iowa  
10 communications network, a city or county on behalf of a law  
11 enforcement agency, professional or volunteer fire department,  
12 or emergency medical care provider as defined in Code section  
13 147A.1, shall be considered a public agency and be authorized  
14 access strictly for the purpose of connecting disparate  
15 communications systems to provide for a multiagency or  
16 multijurisdictional public safety response. The bill states  
17 that the city or county shall be responsible for all costs  
18 associated with becoming a part of the network.

19 The bill establishes a statewide interoperable radio system  
20 board, under the joint purview of the department of public  
21 safety and the state department of transportation. The bill  
22 specifies that the board shall develop, implement, and oversee  
23 policy, operations, and fiscal components of communications  
24 interoperability efforts at the state and local level,  
25 coordinate with similar efforts at the federal level, and  
26 ultimately develop and oversee the operation of a statewide  
27 integrated public safety communications interoperability  
28 system. The bill defines "interoperability" as the ability of  
29 public safety and public services personnel to communicate and  
30 to share data on an immediate basis, on demand, when needed,  
31 and when authorized.

32 The bill identifies 15 members of the board, all voting  
33 members, and states that members not affiliated with or  
34 representing a state agency shall be appointed by the  
35 governor.

1 The bill includes provisions relating to the appointment of  
2 members, terms of service, and vacancies. The bill states  
3 that members shall receive reimbursement for actual expenses  
4 incurred while engaged in the performance of official duties  
5 from funds appropriated to the departments for that purpose,  
6 and that the departments shall enter into an agreement to  
7 provide administrative assistance and support to the board.

8 Regarding the duties of the board, the bill provides that  
9 the board shall implement and maintain organizational and  
10 operational elements of the board; review and monitor  
11 communications interoperability performance and service levels  
12 on behalf of participating agencies; establish, monitor, and  
13 maintain appropriate policies and protocols to ensure that  
14 interoperable communications systems function properly;  
15 allocate and oversee state appropriations or other funding  
16 received; identify longer-term funding sources for  
17 communications interoperability projects, including assets  
18 that will leverage resources and provide incentives for  
19 communications interoperability participation; and develop and  
20 obtain adequate funding in accordance with a communications  
21 interoperability sustainability plan. The board shall,  
22 additionally, develop a statewide integrated public safety  
23 communications interoperability system that allows for shared  
24 communications systems and costs, takes into account  
25 infrastructure needs and requirements, improves reliability,  
26 and addresses liability concerns of the shared network;  
27 identify legislative solutions which could provide assistance  
28 to the enhancement of communications interoperability;  
29 investigate data and video interoperability systems, and  
30 expand, maintain, and fund training programs relating to  
31 current and long-term communications interoperability efforts.  
32 Further, the board is directed to identify, promote, and  
33 provide incentives for appropriate collaborations and  
34 partnerships relating to communications interoperability and  
35 to provide incentives to support maintenance and expansion of

1 regional efforts to promote implementation of the integrated  
2 statewide public safety communications interoperability  
3 system.

4 The bill provides that the board shall submit a report by  
5 January 1, annually, to the members of the general assembly  
6 regarding communications interoperability efforts, activities,  
7 and effectiveness at the local and regional level. The report  
8 is to include the status of efforts to develop the statewide  
9 integrated public safety communications interoperability  
10 system and funding requirements.

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