

Iowa Code § 8B.1

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8B.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “Broadband” means a high-speed, high-capacity electronic transmission medium, including fixed wireless and mobile wireless mediums, that can carry data signals from independent network sources by establishing different bandwidth channels and that is commonly used to deliver internet services to the public.
2. “Broadband infrastructure” means the physical infrastructure used for the transmission of data that provides broadband services. “Broadband infrastructure” does not include land, buildings, structures, improvements, or equipment not directly used in the transmission of data via broadband.
3. “Communications service provider” means a service provider that provides broadband service.
4. “Crop operation” means the same as defined in section 717A.1.
5. “Facilitate” means a communication service provider’s ability to provide broadband service at or above the download and upload speeds specified in the definition of targeted service area in this section to a home, farm, school, or business within a commercially reasonable time and at a commercially reasonable price upon request by a consumer.
6. “Information technology” means computing and electronics applications used to process and distribute information in digital and other forms and includes information technology devices, information technology services, infrastructure services, broadband and broadband infrastructure, and value-added services.
7. “Information technology device” means equipment or associated software, including programs, languages, procedures, or associated documentation, used in operating the equipment which is designed for utilizing information stored in an electronic format. “Information technology device” includes but is not limited to computer systems, computer networks, and equipment used for input, output, processing, storage, display, scanning, and printing.
8. “Information technology services” means services designed to do any of the following:
 - a. Provide functions, maintenance, and support of information technology devices.

b. Provide services including but not limited to any of the following:

- (1)** Computer systems application development and maintenance.
- (2)** Systems integration and interoperability.
- (3)** Operating systems maintenance and design.
- (4)** Computer systems programming.
- (5)** Computer systems software support.
- (6)** Planning and security relating to information technology devices.
- (7)** Data management consultation.
- (8)** Information technology education and consulting.
- (9)** Information technology planning and standards.
- (10)** Establishment of local area network and workstation management standards.

9. “Information technology staff” includes any employees performing information technology services, including but not limited to agency employees in information technology classifications, contractors, temporary workers, and any other employees providing information technology services.

10. “Infrastructure services” includes all of the following:

- a.** Data centers used to support mainframe and other computers and their associated components including servers, information networks, storage systems, redundant or backup power systems, redundant data communications connections, environmental controls, and security devices.
- b.** Servers, mainframes, or other centralized processing systems.
- c.** Storage systems, including but not limited to disk, tape, optical, and other structured repositories for storing digital information.
- d.** Computer networks commonly referred to as local area networks.
- e.** Network services, including equipment and software which support local area networks, campus area networks, wide area networks, and metro area networks. Network services also include data network services such as routers, switches, firewalls, virtual private networks, intrusion detection systems, access control, internet protocol load balancers, event logging and correlation, and content caching. Network services do not include services provided by the public broadcasting division of the department of education.
- f.** Groupware applications used to facilitate collaboration, communication, and workflow, including electronic mail, directory services, calendaring and scheduling, and imaging systems.
- g.** Information technology help desk services.
- h.** Cyber security functions and equipment.
- i.** Digital printing and printing procurement services.

- j. Data warehouses, including services that assist in managing and locating digital information.
 - k. Disaster recovery technology and services.
 - l. Other similar or related services as determined by the chief information officer.
11. “Office” means the office of the chief information officer created in section 8B.2.
12. “Participating agency” means any state agency, except the state board of regents and institutions operated under the authority of the state board of regents.
13. “Targeted service area” means any of the following:
- a. A United States census bureau census block located in this state, including any crop operation located within the census block, or other geographic unit the office sets by rule, within which no communications service provider offers or facilitates broadband service at or above the tier 1, tier 2, or tier 3 download and upload speeds. As used in this subsection:
 - (1) “Tier 1” means a maximum download speed of less than twenty-five megabits per second and a maximum upload speed of less than three megabits per second.
 - (2) “Tier 2” means a minimum download speed of greater than or equal to twenty-five megabits per second but less than fifty megabits per second.
 - (3) “Tier 3” means a minimum download speed of greater than or equal to fifty megabits per second but less than eighty megabits per second.
 - b. Any geographic area, as the office sets by rule, that is materially underserved by broadband service such that tier 1, tier 2, and tier 3 download and upload speeds are not meaningfully available. The office’s power to determine the geographic area by rule under this paragraph includes the power to define and interpret standards as to whether a geographic area is materially underserved and broadband service is meaningfully available.
14. “Underserved area” means any portion of a targeted service area within which no communications service provider facilitates broadband service meeting the tier 1 download and upload speeds specified in the definition of targeted service area in this section.
15. “Value-added services” means services that offer or provide unique, special, or enhanced value, benefits, or features to the customer or user including but not limited to services in which information technology is specially designed, modified, or adapted to meet the special or requested needs of the user or customer; services involving the delivery, provision, or transmission of information or data that require or involve additional processing, formatting, enhancement, compilation, or security; services that provide the customer or user with enhanced accessibility, security, or convenience; research and development services; and services that are provided to support technological or statutory requirements imposed on participating agencies and other governmental entities, businesses, and the public.

History

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2013 Acts, ch 129, § 5; 2015 Acts, ch 120, § 26, § 27, effective July 1, 2015; 2018 Acts, ch 1123, § 1, effective April 17, 2018; 2019 Acts, ch 159, § 2, § 3, § 4, effective July 1, 2019; 2020 Acts, ch 1078, § 1, effective June 25, 2020; 2021 Acts, ch 47, § 1, effective April 28, 2021.

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