

Suspending limitations on conference committee
jurisdiction, H.B. No. 5 (Ashby/Nichols)

By: Ashby

H.R. No. 1868

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 87th Legislature, Regular Session, 2021, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 5 (the expansion of broadband
6 services to certain areas) to consider and take action on the
7 following matters:

8 (1) House Rule 13, Sections 9(a)(1) and (4), are suspended
9 to permit the committee to add text on a matter not included in
10 either the house or senate version of the bill in proposed SECTION 5
11 of the bill, by adding Sections 490I.0105(a)(1)(B) and (2)(B),
12 Government Code, to read as follows:

13 (a) The broadband development office shall create, update
14 annually, and publish on the comptroller's Internet website a map
15 classifying each designated area in this state as:

16 (1) an eligible area, if:

17 (A) fewer than 80 percent of the addresses in the
18 designated area have access to broadband service; and

19 (B) the federal government has not awarded
20 funding under a competitive process to support the deployment of
21 broadband service to addresses in the designated area; or

22 (2) an ineligible area, if:

23 (A) 80 percent or more of the addresses in the
24 designated area have access to broadband service; or

1 (B) the federal government has awarded funding
2 under a competitive process to support the deployment of broadband
3 service to addresses in the designated area.

4 Explanation: This change is necessary to ensure that an area
5 is not classified as an area for which state financial assistance
6 may be provided for the purpose of expanding access to and adoption
7 of broadband service under Chapter 490I, Government Code, as added
8 by the bill, if the federal government has awarded funding for the
9 purposes of supporting the deployment of broadband service in the
10 area.

11 (2) House Rule 13, Section 9(a)(4), is suspended to permit
12 the committee to add text on a matter not included in either the
13 house or senate version of the bill in proposed SECTION 5 of the
14 bill, by adding Section 490I.0105(m), Government Code, to read as
15 follows:

16 (m) A designated area that is classified as an ineligible
17 area on account of the existence of federal funding to support
18 broadband service deployment in the area may be reclassified as an
19 eligible area if:

20 (1) funding from the federal government is forfeited
21 or the recipient of the funding is disqualified from receiving the
22 funding; and

23 (2) the designated area otherwise meets the
24 qualifications of an eligible area.

25 Explanation: This change is necessary to ensure that an area
26 classified as ineligible for state financial assistance provided
27 for the purpose of expanding access to and adoption of broadband

1 service under Chapter 490I, Government Code, as added by the bill,
2 on account of the availability of federal funding for supporting
3 the deployment of broadband service in the area may be reclassified
4 as eligible to receive the assistance if the federal government
5 funding is no longer available.