

A BILL TO BE ENTITLED

AN ACT

relating to provision of broadband infrastructure and connectivity by the Lower Colorado River Authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 8503, Special District Local Laws Code, is amended by adding Section 8503.032 to read as follows:

Sec. 8503.032. BROADBAND SERVICE INFRASTRUCTURE AND CONNECTIVITY. (a) In this section, "broadband service" means advanced telecommunications capability and Internet access.

(b) The authority may provide fiber capacity or facilities for the purpose of facilitating broadband service connectivity.

(c) The authority may not provide broadband service to a retail customer.

(d) Notwithstanding any other law, Subtitle C, Title 2, Utilities Code, does not apply to the authority.

(e) The authority may provide fiber capacity or facilities only on reasonable and nondiscriminatory terms and conditions.

(f) The authority may not agree to lease fiber capacity or facilities to a municipality for the purpose of facilitating broadband service connectivity, other than for communications regarding utility operations, unless the authority:

(1) posts on the authority's Internet website information concerning the proposal to lease the capacity or facilities to the municipality not less than 90 days before

1 entering into the lease agreement with the municipality; and
2 (2) for the 90-day period beginning on the date that
3 the authority posts information under Subdivision (1), makes the
4 capacity or facilities available for lease to any commercial
5 broadband provider that provides broadband services in the
6 municipality, on the authority's standard terms and conditions.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2021.