

By: Christian

H.B. No. 1595

A BILL TO BE ENTITLED

AN ACT

1
2 relating to access to certain telecommunications service in certain
3 communities.

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

5 SECTION 1. Subchapter C, Chapter 57, Utilities Code, is
6 amended by adding Section 57.052 to read as follows:

7 Sec. 57.052. RESALE OF SERVICES. Notwithstanding any other
8 law, an entity that receives a grant or loan under this subchapter
9 that is used to establish broadband access to the Internet may
10 resell that access to persons residing in the entity's community if
11 the access is not being used to its capacity.

12 SECTION 2. Section 58.266, Utilities Code, is amended by
13 amending Subsection (a) and adding Subsection (d) to read as
14 follows:

15 (a) Except as provided by Subsection (d), a [A] private
16 network service may be used by and shared among the entities
17 described by Section 58.253(a) but may not be otherwise shared or
18 resold to other customers.

19 (d) Notwithstanding any other law, an entity described by
20 Section 58.253(a) may resell a private network service provided
21 under this subchapter that is not used to its capacity to persons
22 residing in the entity's community.

23 SECTION 3. Section 59.081, Utilities Code, is amended by
24 amending Subsection (a) and adding Subsection (d) to read as

1 follows:

2 (a) Except as provided by Subsection (d), a [A] private
3 network service may be used and shared among the entities described
4 by Section 59.072(a) but may not be otherwise shared or resold to
5 other customers.

6 (d) Notwithstanding any other law, an entity described by
7 Section 59.072(a) may resell a private network service provided
8 under this subchapter that is not used to its capacity to persons
9 residing in the entity's community.

10 SECTION 4. Subchapter B, Chapter 2170, Government Code, is
11 amended by adding Section 2170.0585 to read as follows:

12 Sec. 2170.0585. USE OF SYSTEM IN CERTAIN COMMUNITIES.
13 Notwithstanding Section 2170.058(c), the department may sell
14 access to broadband telecommunications products or services to the
15 general public if:

16 (1) the commission already provides the products or
17 services to a state agency or political subdivision in the
18 community; and

19 (2) the products or services are not being used to
20 their fullest capacity by the state agency or political
21 subdivision.

22 SECTION 5. This Act takes effect September 1, 2003.