

By: Chisum

H.B. No. 2864

A BILL TO BE ENTITLED

AN ACT

relating to the deployment of high-speed telecommunications services

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

SECTION 1. Chapter 57, Subtitle C, Title II, Utilities Code is amended by adding new Subchapter E to read as follows:

SUBCHAPTER E. BROADBAND ACCESS.

Sec. 57.091. Establishment of Broadband Access Programs.

(a) Legislative Finding. The legislature finds that access to high quality, broadband communications services is essential for communities to survive and thrive in the twenty-first century and that it is a high public priority that the citizenry of each community have reasonable and affordable access to these services.

(b) Broadband Access Programs. From monies appropriated for the purpose, the Public Utility Commission shall establish programs to assist under-served communities, both rural and urban, to obtain access to broadband telecommunications and Internet services. Through appropriate studies and technology assessments, the commission shall determine the most appropriate and cost-effective means to accomplish the access goals and to meet the needs of each community. These determinations shall consider all available technologies. Priority shall be given to projects involving communities in which the general public has no access to broadband services, or in which the access is not commensurate for

1 any reason, including economic hardship, with the needs of the
2 community. The commission shall not make grants in communities in
3 which adequate service is provided and used by the citizenry.

4 (c) Project Funding. The commission may make loans or
5 grants to telecommunication services providers, political
6 subdivisions, or non-profit organizations to accomplish the
7 purposes of this act. The commission shall consider depositing at
8 least one-half of the available monies in a revolving loan fund so
9 that assistance may be provided in perpetuity.

10 (d) Reporting. The commission shall report in October of
11 each even-numbered year to the governor and the legislature on its
12 activities and accomplishments under the programs.

13 SECTION 2. This Act takes effect on September 1, 2003.