

By: Gallego

H.B. No. 2765

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the update of discounted telecommunication services
3 provided to educational institutions, libraries, hospitals, and
4 health centers.

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

6 SECTION 1. Section 58.252, Utilities Code, is amended by
7 adding Subdivision (1-a) and amending Subdivision (3) to read as
8 follows:

9 (1-a) "Health center" means a federally qualified
10 health center service delivery site.

11 (3) "Private network services" means:

12 (A) broadband digital service that is capable of
13 providing transmission speeds of 45 megabits a second or greater
14 for customer applications, including the latest switched services
15 and fiber-based point-to-point solutions; and

16 (B) other customized or packaged network
17 services.

18 SECTION 2. Section 58.253(a), Utilities Code, is amended to
19 read as follows:

20 (a) On customer request, an electing company shall provide
21 private network services to:

22 (1) an educational institution;

23 (2) a library as defined in Section 57.021;

24 (3) a nonprofit telemedicine center;

1 (4) a public or not-for-profit hospital; ~~[or]~~

2 (5) a legally constituted consortium or group of
3 entities listed in this subsection; or

4 (6) a nonprofit health center.

5 SECTION 3. Section 58.258(a), Utilities Code, is amended to
6 read as follows:

7 (a) Notwithstanding the pricing flexibility authorized by
8 this subtitle, an electing company's rates for private network
9 services may not be increased before January 1, 2020
10 [~~2012~~]. However, an electing company may increase a rate in
11 accordance with the provisions of a customer specific contract.

12 SECTION 4. The heading to Section 58.260, Utilities Code,
13 is amended to read as follows:

14 Sec. 58.260. POINT-TO-POINT [~~45 MEGABITS A SECOND~~
15 ~~INTRALATA~~] SERVICE.

16 SECTION 5. Section 58.260(a), Utilities Code, is amended to
17 read as follows:

18 (a) On request of an entity described by Section 58.253(a),
19 an electing company shall provide to the entity the latest
20 intraLATA switched services and fiber-based point-to-point
21 solutions the company offers at 45 megabits a second or greater
22 [~~intraLATA services~~].

23 SECTION 6. Section 58.262(a), Utilities Code, is amended to
24 read as follows:

25 (a) On request of an entity described by Section 58.253(a),
26 an electing company shall provide to the entity expanded
27 interconnection (virtual colocation) and shall make available the

1 latest multiprotocol label switching mechanism (virtual links)
2 offered by the company.

3 SECTION 7. Section 58.268, Utilities Code, is amended to
4 read as follows:

5 Sec. 58.268. CONTINUATION OF OBLIGATION. Notwithstanding
6 any other provision of this title, an electing company shall
7 continue to comply with this subchapter until January 1, 2020
8 [~~2012~~], regardless of:

9 (1) the date the company elected under this chapter;
10 or

11 (2) any action taken in relation to that company under
12 Chapter 65.

13 SECTION 8. The changes in law made by this Act apply only to
14 a company that elects to provide discounted services on or after the
15 effective date of this Act. A company that elects to provide
16 discounted services before the effective date of this Act is
17 subject to the law in effect immediately before that date, and that
18 law is continued in effect for that purpose.

19 SECTION 9. This Act takes effect September 1, 2011.