

BILL ANALYSIS

C.S.H.B. 1426
By: Guerra
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised over recent reports indicating that firefighters responding to wildfires in California were having their mobile Internet service throttled. C.S.H.B. 1426 seeks to address these concerns and ensure that Texans who are living through a disaster are not impeded in accessing their mobile Internet service by the service provider.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1426 amends the Government Code to prohibit a mobile Internet service provider from impairing or degrading lawful mobile Internet service access in an area subject to a state of disaster declaration issued by the governor. The bill expressly does not prohibit a mobile Internet service provider from prioritizing first responder Internet service access or a network service designated for use by emergency services personnel if there is network congestion in an area subject to such a disaster declaration.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1426 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision establishing that the prohibition against a mobile Internet service provider from impairing or degrading lawful mobile Internet service access in a disaster area does not prohibit a service provider from prioritizing first responder Internet service access or a network service designated for use by emergency services personnel if there is network congestion in such an area.