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H.B. No. 2422

A BILL TO BE ENTITLED

AN ACT

relating to the coordination of certain broadband projects by the
Texas Department of Transportation.

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

SECTION 1. Chapter 201, Transportation Code, is amended by
adding Subchapter H-1 to read as follows:

SUBCHAPTER H-1. COORDINATION OF BROADBAND INSTALLATION

Sec. 201.671. DEFINITIONS. In this subchapter:

(1) "Broadband" means a mass-market retail service by
wire or radio that provides the capability to transmit data to and
receive data from all or substantially all Internet endpoints,
including capabilities that are incidental to and enable the
operation of the service. The term includes a service that is
functionally equivalent to the service described by this
subdivision.

(2) "Broadband conduit" means a conduit, pipe,
innerduct, or microduct for fiber optic or other cables that
supports broadband and wireless facilities for broadband.

Sec. 201.672. DUTIES. (a) The department shall encourage
and coordinate efforts to plan, relocate, install, or improve
broadband conduit in highway rights-of-way in conjunction with any
current or planned highway construction.

(b) The department shall develop a strategy to facilitate
the timely and efficient deployment of broadband conduit or other

1 broadband facilities on state-owned land and in state-owned
2 buildings in areas where such a strategy is needed.

3 (c) The department shall give special consideration to
4 projects described by Subsection (a) or (b) that are likely to
5 improve access to broadband by rural or underserved communities.

6 (d) To the extent practicable, the department shall assist
7 political subdivisions in taking advantage of voluntary joint
8 trenching opportunities.

9 (e) This section does not authorize the department to
10 require a conduit or facility in a right-of-way to be relocated at
11 the conduit or facility owner's expense.

12 Sec. 201.673. REPORT. Annually, the department shall
13 submit to the legislature a report that explains the actions taken
14 by the department in carrying out this subchapter, any gains in
15 broadband speed or access associated with voluntary joint trenching
16 opportunities, and any costs or cost savings to the state, private
17 entities, or end users of broadband services associated with
18 voluntary joint trenching opportunities.

19 SECTION 2. This Act takes effect September 1, 2019.