

1 AN ACT

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

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

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

7 SUBCHAPTER H-1. COORDINATION OF BROADBAND INSTALLATION

8 Sec. 201.671. DEFINITIONS. In this subchapter:

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

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

19 Sec. 201.672. COORDINATION. (a) The department shall
20 provide notice on the department's Internet website of ongoing and
21 planned highway construction projects for which the department will
22 provide voluntary joint trenching opportunities in the state's
23 right-of-way for broadband providers. A broadband provider may
24 collaborate with the department to deploy broadband conduit or

1 other broadband facilities in those rights-of-way.

2 (b) The department shall give special consideration to
3 broadband deployment described by Subsection (a) that is likely to
4 improve access to broadband by rural or underserved communities.

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

8 Sec. 201.673. REPORT. Annually, the department shall
9 submit to the legislature a report that explains the actions taken
10 by the department in carrying out this subchapter and identifies
11 any costs or cost savings to the state and private entities
12 associated with voluntary joint trenching opportunities.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2422 was passed by the House on April 24, 2019, by the following vote: Yeas 141, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2422 on May 24, 2019, by the following vote: Yeas 136, Nays 5, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2422 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor