

By: Perry

S.B. No. 1104

A BILL TO BE ENTITLED

AN ACT

relating to the coordination of certain broadband projects by the Public Utility Commission of Texas.

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

SECTION 1. Subtitle A, Title 2, Utilities Code, is amended by adding Chapter 19 to read as follows:

CHAPTER 19. COORDINATION OF BROADBAND INSTALLATION

Sec. 19.0101. DEFINITIONS. In this chapter:

(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. 19.0102. DUTIES. (a) In collaboration with the Texas Department of Transportation and private entities, the commission 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. To the extent necessary, in collaboration with the Texas Department of

1 Transportation the commission shall:

2 (1) evaluate engineering and design standards,  
3 procedures and criteria for contracts or lease agreements, and  
4 pricing requirements; and

5 (2) provide for allocation of risk, costs, and any  
6 revenue generated.

7 (b) In collaboration with any other state agency the  
8 commission considers necessary, the commission shall develop a  
9 strategy to facilitate the timely and efficient deployment of  
10 broadband conduit or other broadband facilities on state-owned land  
11 and in state-owned buildings.

12 (c) The commission shall give special consideration to  
13 projects described by Subsection (a) or (b) that are likely to  
14 improve access to broadband by rural or underserved communities.

15 (d) To the extent practicable, the commission shall assist  
16 political subdivisions in adopting and implementing projects  
17 similar to those in Subsections (a) and (b) for the construction or  
18 improvement of roads under the jurisdiction of political  
19 subdivisions and for broadband deployment on land or in buildings  
20 owned by political subdivisions.

21 Sec. 19.0103. REPORT. Annually, the commission shall  
22 submit to the legislature a report that explains the actions taken  
23 by the commission in carrying out this chapter, the number of  
24 current and planned projects receiving assistance from the  
25 commission, any gains in broadband speed or access associated with  
26 the projects, and any costs or cost savings to the state, private  
27 entities, or end users of broadband services associated with the

1 projects.

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