

**House Bill 2422**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

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

(e) This section does not authorize the department to require a conduit or facility in a right-of-way to be relocated at the

SENATE VERSION (CS)

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(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. COORDINATION. (a) The department shall provide notice on the department's Internet website of ongoing and planned highway construction projects for which the department will provide voluntary joint trenching opportunities in the state's right-of-way for broadband providers. A broadband provider may collaborate with the department to deploy broadband conduit or other broadband facilities in those rights-of-way.

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

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

CONFERENCE

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conduit or facility owner's expense.

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

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

SENATE VERSION (CS)

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

SECTION 2. Same as House version.

CONFERENCE