

Amend the Amendment by Paddie to CSHB 1505 (house committee printing) as follows:

(1) On page 3, strike lines 14 through 20 and substitute the following:

(1) "Pole replacement fund" means the broadband pole replacement fund established under Section 403.502.

(2) "Pole replacement program" means the Texas Broadband Pole Replacement Program established under Section 403.503.

(2) Strike page 3, line 21 through page 4, line 28.

(3) On page 4, line 29, strike "403.503" and substitute "403.502".

(4) On page 5, strike lines 1 through 6 and substitute the following:

(b) Notwithstanding any other law and except as provided by federal law, the comptroller shall make a one-time transfer of \$75 million from money received by this state from the federal government from the Coronavirus Capital Projects Fund established under Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) to the credit of the pole replacement fund. The comptroller shall make the transfer described by this subsection as soon as practicable following receipt by this state of a sufficient amount to make the transfer.

(c) Money deposited to the credit of the pole replacement fund may be used only for the purpose of supporting the pole replacement program under Section 403.503. Money in the pole replacement fund must be used in a manner consistent with federal law.

(d) Interest earned on money deposited to the credit of the pole replacement fund is exempt from Section 404.071. Interest earned on money in the fund shall be retained in the pole replacement fund.

(e) The comptroller may issue guidelines for state agencies regarding the implementation of this section.

(5) On page 5, line 7, strike "403.504" and substitute "403.503".

(6) On page 5, strike lines 17 through 24, and substitute

the following:

(2) "Eligible pole replacement cost" means the actual and reasonable costs paid or incurred by a party after August 31, 2021, to remove and replace a pole, including the amount of any expenditures to remove and dispose of the existing pole, purchase and install a replacement pole, and transfer any existing facilities to the new pole. The term includes costs paid or incurred by the party responsible for the costs of a pole replacement to reimburse the party that performs the pole replacement. The term does not include costs that the party incurs initially that have been reimbursed to the party by another party ultimately responsible for the costs.

(7) On page 6, line 21, strike "removes and replaces" and substitute "pays or incurs the costs of removing and replacing".

(8) On page 6, at the end of line 25, add "paid or".

(9) On page 8, line 23 and 24, strike "pole owner or broadband service provider" and substitute "recipient of funds under this section".

(10) On page 8, line 26, strike "owner or provider" and substitute "the recipient".

(11) On page 9, line 31, strike "from the capital fund".

(12) On page 10, line 1, strike "403.503(b)" and substitute "403.502(b)".

(13) On page 10, line 7, strike "403.504" and substitute "403.503".

(14) Add the following appropriately numbered item to the amendment and renumber subsequent items of the amendment accordingly:

(____) Strike page 4, line 19 through page 5, line 3, and substitute the following:

(b) The terms and conditions of a contract under Subsection (a) must be consistent with this chapter.