

Suspending limitations on conference committee
jurisdiction, H.B. No. 5 (Ashby/Nichols)

By: Nichols

S.R. No. 516

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, Regular Session, 2021, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 5 (the expansion of broadband services to certain areas) to consider and take action on the following matters:

(1) Senate Rules 12.03(1) and (4) are suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 5 of the bill, by adding Sections 490I.0105(a)(1)(B) and (2)(B), Government Code, to read as follows:

(a) The broadband development office shall create, update annually, and publish on the comptroller's Internet website a map classifying each designated area in this state as:

(1) an eligible area, if:

(A) fewer than 80 percent of the addresses in the designated area have access to broadband service; and

(B) the federal government has not awarded funding under a competitive process to support the deployment of broadband service to addresses in the designated area; or

(2) an ineligible area, if:

(A) 80 percent or more of the addresses in the designated area have access to broadband service; or

(B) the federal government has awarded funding

under a competitive process to support the deployment of broadband service to addresses in the designated area.

Explanation: This change is necessary to ensure that an area is not classified as an area for which state financial assistance may be provided for the purpose of expanding access to and adoption of broadband service under Chapter 490I, Government Code, as added by the bill, if the federal government has awarded funding for the purposes of supporting the deployment of broadband service in the area.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 5 of the bill, by adding Section 490I.0105(m), Government Code, to read as follows:

(m) A designated area that is classified as an ineligible area on account of the existence of federal funding to support broadband service deployment in the area may be reclassified as an eligible area if:

(1) funding from the federal government is forfeited or the recipient of the funding is disqualified from receiving the funding; and

(2) the designated area otherwise meets the qualifications of an eligible area.

Explanation: This change is necessary to ensure that an area classified as ineligible for state financial assistance provided for the purpose of expanding access to and adoption of broadband service under Chapter 490I, Government Code, as added

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by the bill, on account of the availability of federal funding for supporting the deployment of broadband service in the area may be reclassified as eligible to receive the assistance if the federal government funding is no longer available.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 28, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate