

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

By: Nichols

S.R. No. 516

R E S O L U T I O N

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

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

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

15 (1) an eligible area, if:

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

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

21 (2) an ineligible area, if:

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

24 (B) the federal government has awarded funding

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

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

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

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

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

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

23 Explanation: This change is necessary to ensure that an area
24 classified as ineligible for state financial assistance provided
25 for the purpose of expanding access to and adoption of broadband
26 service under Chapter 490I, Government Code, as added by the bill,
27 on account of the availability of federal funding for supporting

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1 the deployment of broadband service in the area may be reclassified
2 as eligible to receive the assistance if the federal government
3 funding is no longer available.