

By: Hughes, et al.
(McQueeney)

S.B. No. 1897

A BILL TO BE ENTITLED

AN ACT

relating to advanced communications infrastructure security;
authorizing a fee; providing administrative penalties.

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

SECTION 1. Subtitle C, Title 2, Utilities Code, is amended
by adding Chapter 67 to read as follows:

CHAPTER 67. ADVANCED COMMUNICATIONS INFRASTRUCTURE SECURITY

Sec. 67.001. DEFINITIONS. In this chapter:

(1) "Advanced communications infrastructure" means
physical ground-based infrastructure or equipment used to provide
advanced communications service.

(2) "Advanced communications service" means:

(A) advanced telecommunications capability, as
defined by 47 U.S.C. Section 1302; or

(B) any other telecommunications capability
that:

(i) permits end users to engage in
communications; and

(ii) is designated by the commission by
rule as an advanced communications service for the purposes of this
chapter.

(3) "Advanced communications service provider" means
a person who provides advanced communications service to customers
in this state.

1 (4) "Company" has the meaning assigned by Section
2 117.001, Business & Commerce Code.

3 (5) "Federally banned company" means a company that
4 produces or provides communications equipment or services listed as
5 of September 1, 2025, on the covered list published by the Public
6 Safety and Homeland Security Bureau of the Federal Communications
7 Commission, as required by 47 C.F.R. Section 1.50002.

8 Sec. 67.002. ADVANCED COMMUNICATIONS INFRASTRUCTURE. (a)
9 An advanced communications service provider may not construct
10 advanced communications infrastructure after August 31, 2025, that
11 includes any equipment produced or provided by a federally banned
12 company.

13 (b) An advanced communications service provider that
14 operates advanced communications infrastructure installed before
15 September 1, 2025, that was produced or provided by a federally
16 banned company shall disable and remove the infrastructure as soon
17 as possible after September 1, 2025. The advanced communications
18 service provider is not required to apply for any applicable state
19 or local permit to replace the removed advanced communications
20 infrastructure if:

21 (1) the provider notifies the relevant state agency or
22 local entity of the replacement; and

23 (2) the replacement infrastructure is similar to the
24 removed infrastructure.

25 Sec. 67.003. REGISTRATION WITH COMMISSION. (a) An
26 advanced communications service provider that uses advanced
27 communications infrastructure produced or provided by a federally

banned company shall register with the commission annually.

(b) Each registered advanced communications service provider shall:

(1) pay to the commission an annual registration fee prescribed by the commission in an amount sufficient to cover the cost of administering the registration program; and

(2) maintain on file with the commission the following information:

(A) the name, address, telephone number, and e-mail address of an employee of the provider with managerial responsibility for the provider's operations in this state;

(B) the geographic coordinates of the areas served by any advanced communications infrastructure required to be replaced by the provider under Section 67.002;

(C) whether the advanced communications service provider is a participant in the federal Secure and Trusted Communications Networks Reimbursement Program; and

(D) any other information required by the commission.

Sec. 67.004. REQUIREMENTS FOR PARTICIPANT IN SECURE AND TRUSTED COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM. An advanced communications service provider that is a participant in the federal Secure and Trusted Communications Networks Reimbursement Program shall:

(1) report to the commission not later than January 1 of each year all communications equipment or services operated by the provider eligible for replacement reimbursement from the

program and the geographic coordinates of the areas served by that equipment or service; and

(2) submit a quarterly report to the commission that includes any information required by the commission regarding the advanced communications service provider's compliance with the requirements of the program.

Sec. 67.005. ENFORCEMENT. (a) The commission shall assess an administrative penalty in the manner provided by Chapter 15 in an amount of at least \$5,000 and not more than \$25,000 against an advanced communications service provider for each violation of this chapter. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty.

(b) The commission shall assess an administrative penalty in the manner provided by Chapter 15 in an amount of at least \$10,000 and not more than \$20,000 against an advanced communications service provider that knowingly files a false registration under Section 67.003. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty.

(c) Notwithstanding any other law, an advanced communications service provider that does not comply with this chapter may not:

(1) receive state or local funds for the development or maintenance of advanced communications infrastructure, including disbursements from the state universal service fund established under Section 56.021; or

(2) receive any federal funds that are subject to

1 distribution by state or local governments for the development or
2 maintenance of new or existing advanced communications
3 infrastructure.

4 Sec. 67.006. MAP. (a) The commission shall develop a map
5 of known advanced communications infrastructure installed in this
6 state that was produced or provided by a federally banned company.

7 (b) The map must include:

8 (1) the location of the advanced communications
9 infrastructure and the areas served by the infrastructure;

10 (2) the advanced communications service provider
11 responsible for the advanced communications infrastructure; and

12 (3) a description of the advanced communications
13 infrastructure, including the manufacturer and equipment type.

14 SECTION 2. Not later than January 1, 2027, an advanced
15 communications service provider to which Section 67.002(b),
16 Utilities Code, as added by this Act, applies shall, as applicable:

17 (1) register with the Public Utility Commission of
18 Texas as required by Section 67.003, Utilities Code, as added by
19 this Act; and

20 (2) submit to the Public Utility Commission of Texas
21 the first reports required by Section 67.004, Utilities Code, as
22 added by this Act.

23 SECTION 3. This Act takes effect September 1, 2025.