

SECOND REGULAR SESSION

# HOUSE BILL NO. 1880

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE TRENT.

5670H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 394, RSMo, by adding thereto one new section relating to broadband communications services provided by rural electric cooperatives.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 394, RSMo, is amended by adding thereto one new section, to be known as section 394.085, to read as follows:

**394.085. 1. The general assembly declares that expanding and accelerating access to high speed broadband communications services throughout the entire state of Missouri is necessary, desirable, in the best interests of the citizens of this state, and that it is a public purpose of great importance.**

**2. In recognition that the high capital cost of deploying fiber optics technologies to provide broadband communications services impedes access to such services, and the rural electric cooperatives deploy fiber optics technologies for use in the operation of their electric system infrastructure, it is the intent of the general assembly to facilitate and to encourage rural electric cooperatives and their affiliates, either collectively or individually, to continue to enter into and establish voluntary contracts or other forms of joint or cooperative agreements with:**

- (1) The state of Missouri or any official, agency, or instrumentality thereof;**
- (2) Any municipality or political subdivision of the state;**
- (3) Any telecommunications company subject to the jurisdiction of the public service commission under section 386.020;**
- (4) Any member-owned cooperative telephone company;**
- (5) Any cable television company or internet service provider; or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(6) Any nonprofit corporation or association.**

19           **3. Such contracts or other forms of joint or cooperative agreements may, among**  
20 **other things, provide for the nonexclusive use of rural electric cooperative infrastructure**  
21 **and easements for the deployment of broadband communications services.**

22           **4. For purposes of this section, the term "rural electric cooperative" shall include**  
23 **an electrical corporation as defined in subsection 2 of section 393.110.**

24           **5. Nothing in this section shall be construed as conferring to the public service**  
25 **commission any regulatory jurisdiction not granted over any contract or other form of**  
26 **joint or cooperative agreement entered into under this section, or over the parties to such**  
27 **contract or agreement.**

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