

FIRST REGULAR SESSION

HOUSE BILL NO. 774

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON.

1370H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to internet access in underserved areas, with an emergency clause.

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

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be known as section 620.2465, to read as follows:

620.2465. 1. As used in this section, the following terms mean:

(1) "Department", the department of economic development;

(2) "High-speed internet access", internet access that:

(a) For a provider that delivers access through fiber or cable, has a minimum download speed of twenty-five megabits per second and a minimum upload speed of three megabits per second; or

(b) For a cellular network, uses Long Term Evolution (LTE) or a more advanced wireless broadband communication technology;

(3) "Underserved area", any census block:

(a) That is classified as either:

a. An urbanized area; or

b. A rural area; and

(b) With either:

a. A majority of residents who have incomes at or below the most recent poverty income guidelines published in the calendar year by the United States Department of Health and Human Services; or

b. An average age of residents that is sixty years of age or older.

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 **2. The department shall implement a program to increase high-speed internet**
19 **access in underserved areas. The department may use discretion in choosing the method**
20 **of the program, but the program shall provide high-speed internet access to as many**
21 **residents who do not have high-speed internet access as quickly as possible, with**
22 **preference given to residents who have no internet access. The department may use**
23 **different methods to address the needs of different residents. The department may provide**
24 **high-speed internet access itself or may contract with an entity to provide the service.**

25 **3. The department shall evaluate the feasibility of:**

26 **(1) Providing residents with smartphones and, if necessary, a data plan; and**

27 **(2) Providing Wi-Fi hotspots from vehicles parked in an underserved area.**

28 **4. The department may promulgate all necessary rules and regulations for the**
29 **administration of this section. Any rule or portion of a rule, as that term is defined in**
30 **section 536.010, that is created under the authority delegated in this section shall become**
31 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
32 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**
33 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
34 **the effective date, or to disapprove and annul a rule are subsequently held**
35 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
36 **after the effective date of this section shall be invalid and void.**

Section B. Because immediate action is necessary to ensure citizens in this state have
2 access to health care and educational services from their residence during a pandemic, the
3 enactment of section 620.2465 of this act is deemed necessary for the immediate preservation
4 of the public health, welfare, peace, and safety and is hereby declared to be an emergency act
5 within the meaning of the constitution, and the enactment of section 620.2465 of this act shall
6 be in full force and effect upon its passage and approval.

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