

SECOND REGULAR SESSION

HOUSE BILL NO. 2695

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUX.

5408H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to broadband internet infrastructure.

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 620.2460, to read as follows:

620.2460. 1. No federal funds received by the state, political subdivision, city, town, or village shall be expended for the construction of retail broadband internet infrastructure unless the project to be constructed is located in an unserved area or underserved area and such project will provide broadband internet service to customers at speeds of one hundred megabits per-second download and twenty megabits per-second upload and scalable to higher speeds.

2. Prior to a political subdivision, city, town, or village authorizing an expenditure for the construction of broadband infrastructure, the office of broadband development shall certify the project is located within an unserved area or underserved area.

3. No project area where an internet service provider has been designated to receive federal funding to support the deployment or expansion of broadband networks that will provide speeds of one hundred megabits per-second download and one hundred megabits per-second upload may be classified as an unserved area or underserved area. However, an area shall be considered an unserved area or underserved area if the federal funding award is forfeited or upon disqualification of the recipient entity awarded federal funding for that geographic area.

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 **4. When the office of broadband development receives a request from a political**
19 **subdivision, city, town, or village to certify whether a project is in an unserved area or**
20 **underserved area, the office shall notify internet service providers of the proposed**
21 **project prior to the certification of the project.**

22 **5. A broadband internet service provider may submit to the department of**
23 **economic development, within forty-five days of notification by the office of broadband**
24 **development, a written challenge to an application. Such challenge shall contain**
25 **information demonstrating that:**

26 **(1) The provider currently provides broadband internet service to retail**
27 **customers within the proposed area;**

28 **(2) The provider has taken affirmative steps to begin the process of construction**
29 **to provide broadband internet service to retail customers within the proposed area; or**

30 **(3) The provider has been designated funding through federal programs to**
31 **support the deployment or expansion of broadband networks in the proposed area that**
32 **will provide speeds of one hundred megabits per-second download and one hundred**
33 **megabits per-second upload.**

34 **6. Within three business days of the submission of a written challenge, the**
35 **department of economic development shall notify the applicable political subdivision,**
36 **municipality, town, or village.**

37 **7. The department of economic development shall evaluate each challenge**
38 **submitted under this section. If the department determines the challenge to be valid, the**
39 **project shall not be considered to be in an unserved area or underserved area and the**
40 **expenditure by the political subdivision, municipality, town, or village shall be**
41 **prohibited.**

42 **8. For the purposes of this section, the terms "unserved area" and "underserved**
43 **area" shall have the same meaning as defined in section 620.2450.**

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