

BILL ANALYSIS

C.S.H.B. 1715
By: Buckley
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texans living in rural areas are underserved with regard to Internet access. With limited access, these Texans are finding it especially challenging to adapt to the expectations and requirements of remote work and school brought about by the COVID-19 pandemic. Unfortunately, providing Internet access in rural areas remains financially unattractive to major Internet providers due to high infrastructure costs and the relatively small number of people to be served. C.S.H.B. 1715 seeks to help address this issue by authorizing the Lower Colorado River Authority to provide fiber capacity or facilities for the purpose of facilitating broadband service connectivity.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1715 amends the Special District Local Laws Code to authorize the Lower Colorado River Authority (LCRA) to provide fiber capacity or facilities for the purpose of facilitating broadband service connectivity and only on reasonable and nondiscriminatory terms and conditions. The bill does the following:

- defines, for its purposes, "broadband service" as advanced telecommunications capability and Internet access;
- prohibits LCRA from providing broadband service to a retail customer; and
- exempts LCRA from telecommunications utility provisions of the Public Utility Regulatory Act.

C.S.H.B. 1715 prohibits LCRA from agreeing to lease fiber capacity or facilities to a municipality for the purpose of facilitating broadband service connectivity, other than for communications regarding utility operations, unless LCRA does the following:

- posts on the LCRA website information concerning the proposal to lease the capacity or facilities to the municipality not less than 90 days before entering into the lease agreement with the municipality; and
- for the 90-day period beginning on the date that LCRA posts the information, makes the capacity or facilities available for lease to any commercial broadband provider that provides broadband services in the municipality, on LCRA's standard terms and conditions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1715 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions authorizing LCRA to construct infrastructure used to provide broadband service and facilitate broadband service connectivity, but instead authorizes LCRA to provide fiber capacity or facilities for the purpose of facilitating broadband service connectivity only on reasonable and nondiscriminatory terms and conditions.

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- for the 90-day period beginning on the date that LCRA posts the information, makes the capacity or facilities available for lease to any commercial broadband provider that provides broadband services in the municipality, on LCRA's standard terms and conditions.