

## **BILL ANALYSIS**

Senate Research Center  
86R12616 JXC-D

S.B. 1104  
By: Perry  
Business & Commerce  
3/15/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This bill would empower the state broadband coordination office to collaborate with the Texas Department of Transportation (TxDOT) and private entities to encourage and coordinate efforts to plan, relocate, install, or improve broadband conduit in highway rights-of-way in conjunction with any current or planned highway construction. In addition, the coordination office shall develop a strategy to facilitate the timely and efficient deployment of broadband conduit or other broadband facilities on state-owned land and in state-owned buildings.

The coordination office should also submit to the legislature a report that explains the actions taken by the Public Utility Commission (PUC) in carrying out the Dig Once policy, the number of current and planned projects receiving assistance from PUC, any gains in broadband speed or access associated with the projects, and any costs or cost savings to the state, private entities, or end users of broadband services associated with the projects.

As proposed, S.B. 1104 amends current law relating to the coordination of certain broadband projects by the Public Utility Commission of Texas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle A, Title 2, Utilities Code, by adding Chapter 19, as follows:

#### **CHAPTER 19. COORDINATION OF BROADBAND INSTALLATION**

Sec. 19.0101. DEFINITIONS. Defines "broadband" and "broadband conduit."

Sec. 19.0102. DUTIES. (a) Requires the Public Utility Commission of Texas (PUC), in collaboration with the Texas Department of Transportation (TxDOT) and private entities, to encourage and coordinate efforts to plan, relocate, install, or improve broadband conduit in highway rights-of-way in conjunction with any current or planned highway construction. Requires PUC, in collaboration with TxDOT, to the extent necessary, to evaluate engineering and design standards, procedures and criteria for contracts or lease agreements, and pricing requirements and to provide to for allocation of risk, costs, and any revenue generated.

(b) Requires PUC, in collaboration with any other state agency PUC considers necessary, to develop a strategy to facilitate the timely and efficient development of broadband conduit or other broadband facilities on state-owned land and in state-owned buildings.

(c) Requires PUC to give special consideration to projects described by Subsection (a) or (b) that are likely to improve access to broadband by rural or underserved communities.

(d) Requires PUC, to the extent practicable, to assist political subdivisions in adopting and implementing projects similar to those in Subsections (a) and (b) for the construction or improvement of roads under the jurisdiction of political subdivisions and for broadband development on land or in buildings owned by political subdivisions.

Sec. 19.0103. REPORT. Requires PUC, annually, to submit to the legislature a report that explains the actions taken by PUC in carrying out this chapter, the number of current and planned projects receiving assistance from PUC, any gains in broadband speed or access associated with the projects, and any costs or cost savings to the state, private entities, or end users of broadband services associated with the projects.

SECTION 2. Effective date: September 1, 2019.