

By Senator Hays

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1 A bill to be entitled
2 An act relating to broadband Internet service;
3 amending s. 364.0135, F.S.; adding to the legislative
4 findings that the sustainable adoption of broadband
5 Internet service is critical to community development;
6 designating the Department of Economic Opportunity
7 rather than the Department of Management Services as
8 the agency to receive and manage all federal broadband
9 initiative funds for the state; requiring the
10 Department of Economic Opportunity to establish a
11 public-private partnership to work with certain
12 private and governmental organizations to oversee
13 broadband development; revising the oversight
14 criteria; providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Subsections (1) and (2) of section 364.0135,
19 Florida Statutes, are amended to read:

20 364.0135 Promotion of broadband adoption.—

21 (1) The Legislature finds that the sustainable adoption of
22 broadband Internet service is critical to the economic, and
23 business, and community development of the state and is
24 beneficial for libraries, schools, colleges and universities,
25 health care providers, and community organizations. The term
26 "sustainable adoption" means the ability for communications
27 service providers to offer broadband services in all areas of
28 the state by encouraging adoption and utilization levels that
29 allow for these services to be offered in the free market absent

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30 the need for governmental subsidy.

31 (2) The Department of Economic Opportunity is the agency
32 designated to receive and manage all federal funds from the
33 United States Department of Commerce for state broadband
34 initiatives and shall establish a public-private partnership
35 that will ~~Management Services is authorized to work~~
36 collaboratively with, and ~~to~~ receive staffing support and other
37 resources from, Enterprise Florida, Inc., state agencies, local
38 governments, private businesses, not-for-profit organizations,
39 and community organizations in order to:

40 (a) Monitor the adoption of broadband Internet service in
41 collaboration with communications service providers, including,
42 but not limited to, wireless and wireline Internet service
43 providers, to develop geographical information system maps at
44 the census block tract level which that will, at a minimum:

45 1. Identify geographic gaps in broadband services,
46 including areas unserved by any broadband provider and areas
47 served by a single broadband provider at the census block level
48 of detail;

49 2. Identify the download and upload transmission speeds
50 made available to businesses and individuals in the state, at
51 the census block tract level of detail, using data rate
52 benchmarks for broadband service used by the Federal
53 Communications Commission to reflect different speed tiers; and

54 3. Provide a baseline assessment of statewide broadband
55 deployment in terms of percentage of households for which ~~with~~
56 broadband access is available ~~availability.~~

57 (b) Create a strategic plan, developed through the use of
58 consumer research into residential and business technology

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59 utilization data, which ~~that~~ has goals and strategies for
60 increasing the use of broadband Internet service in the state.

61 (c) Build and facilitate local technology planning teams or
62 partnerships with members representing cross-sections of the
63 community, which may include, but are not limited to,
64 representatives from the following organizations and industries:
65 libraries, K-12 education, colleges and universities, local
66 health care providers, private businesses, community
67 organizations, economic development organizations, local
68 governments, tourism, parks and recreation, and agriculture.

69 (d) Encourage the use of broadband Internet service,
70 especially in the rural, unserved, and underserved communities
71 of the state through grant programs having effective strategies
72 to facilitate the statewide deployment of broadband Internet
73 service. For any grants to be awarded, priority must be given to
74 projects that:

75 1. Provide access to broadband education, awareness,
76 training, access, equipment, and support to libraries, schools,
77 colleges and universities, health care providers, and community
78 support organizations.

79 2. Encourage the sustainable adoption of broadband in
80 primarily unserved areas by removing barriers to entry.

81 3. Work toward encouraging investments in establishing
82 affordable and sustainable broadband Internet service in
83 unserved areas of the state.

84 4. Facilitate the development of applications, programs,
85 and services, including, but not limited to, telework,
86 telemedicine, and e-learning to increase the usage of, and
87 demand for, broadband Internet service in the state.

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Section 2. This act shall take effect July 1, 2012.