

HB 945

2012

1 A bill to be entitled
2 An act relating to broadband Internet service;
3 amending s. 364.0135, F.S.; revising provisions to
4 promote adoption of broadband Internet service;
5 providing for the Department of Economic Opportunity
6 to receive and manage certain federal funds; directing
7 the department to establish a public-private
8 partnership to perform certain functions; authorizing
9 the department to accept certain funds, enter into
10 contracts, and establish committees and workgroups for
11 certain purposes; authorizing the department to adopt
12 rules; removing authority of the Department of
13 Management Services to perform certain functions;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 364.0135, Florida Statutes, is amended
19 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
 30 | the need for governmental subsidy.

31 | (2) The Department of Economic Opportunity shall be the
 32 | state's single designated entity to receive and manage all
 33 | federal Department of Commerce State Broadband Initiative funds
 34 | and shall establish a public-private partnership that will
 35 | ~~Management Services is authorized to~~ work collaboratively with,
 36 | and ~~to~~ receive staffing support and other resources from,
 37 | Enterprise Florida, Inc., state agencies, local governments,
 38 | private businesses, nonprofit corporations, and community
 39 | organizations 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 tract level~~ 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 with broadband
 56 | availability.

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

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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.

88 (3) The department may apply for and accept federal funds
89 for purposes of this section, as well as gifts and donations
90 from individuals, foundations, and private organizations.

91 (4) The department may enter into contracts necessary or
92 useful to carry out the purposes of this section.

93 (5) The department may establish any committee or
94 workgroup to administer and carry out the purposes of this
95 section.

96 (6) The department may adopt rules necessary to carry out
97 the purposes of this section. Any rule, contract, grant, or
98 other activity undertaken by the department shall ensure that
99 all entities are in compliance with any applicable federal or
100 state laws, rules, and regulations, including, but not limited
101 to, those applicable to private entities providing
102 communications services for hire and the requirements of s.
103 350.81.

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