

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Brodeur offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 819-862 and insert:

5 Section 15. Paragraph (a) of subsection (6) of section
6 337.401, Florida Statutes, is amended to read:

7 337.401 Use of right-of-way for utilities subject to
8 regulation; permit; fees.—

9 (6) (a) As used in this subsection, the following
10 definitions apply:

11 1.a. A "pass-through provider" is any person who places or
12 maintains a communications facility in the roads or rights-of-
13 way of a municipality or county that levies a tax pursuant to

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14 chapter 202 and who does not remit taxes imposed by that
15 municipality or county pursuant to chapter 202.

16 b. Notwithstanding sub-subparagraph a., a person who does
17 not remit taxes imposed by a municipality or county pursuant to
18 chapter 202, but pursuant to s. 202.16(2) sells communications
19 services for resale to a person who sells such services at
20 retail or who integrates such services into communications
21 services sold at retail in that municipality or county and who
22 remits taxes imposed by that municipality or county pursuant to
23 chapter 202, is not a pass-through provider.

24 2. A "communications facility" is a facility that may be
25 used to provide communications services. Multiple cables,
26 conduits, strands, or fibers located within the same conduit
27 shall be considered one communications facility for purposes of
28 this subsection.

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31 **T I T L E A M E N D M E N T**

32 Remove lines 110-126 and insert:
33 requirements; amending s. 337.401, F.S.; revising the
34 definition of the term "pass-through provider";

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