

By the Committee on Commerce and Tourism; and Senator Albritton

577-02734-20

20201166c1

1                   A bill to be entitled  
2       An act relating to broadband Internet service;  
3       amending s. 339.0801, F.S.; authorizing certain funds  
4       within the State Transportation Trust Fund to be used  
5       for certain broadband infrastructure projects within  
6       or adjacent to multiuse corridors; requiring the  
7       Department of Transportation to give priority to  
8       certain projects; amending s. 364.0135, F.S.; defining  
9       terms; designating the Department of Economic  
10      Opportunity, and not the Department of Management  
11      Services, as the lead state entity to facilitate the  
12      expansion of broadband Internet service in this state;  
13      requiring the department to work collaboratively with  
14      certain entities; creating the Florida Office of  
15      Broadband within the Division of Community Development  
16      within the Department of Economic Opportunity;  
17      providing the purpose and duties of the office; making  
18      technical changes; repealing chapter 2012-131, Laws of  
19      Florida, relating to broadband Internet service;  
20      providing an effective date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

23  
24       Section 1. Paragraph (b) of subsection (2) of section  
25      339.0801, Florida Statutes, is amended to read:

26       339.0801 Allocation of increased revenues derived from  
27      amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result  
28      from increased revenues to the State Transportation Trust Fund  
29      derived from the amendments to s. 319.32(5)(a) made by this act

577-02734-20

20201166c1

30 must be used annually, first as set forth in subsection (1) and  
31 then as set forth in subsections (2)-(5), notwithstanding any  
32 other provision of law:

33 (2)

34 (b) Beginning with the 2022-2023 fiscal year and annually  
35 thereafter, \$35 million shall be transferred to Florida's  
36 Turnpike Enterprise, to be used in accordance with s. 338.2278,  
37 with preference to feeder roads, interchanges, and appurtenances  
38 that create or facilitate multiuse corridor access and  
39 connectivity. Of those funds, and to the maximum extent  
40 feasible, up to \$5 million annually may be used for projects  
41 that assist in the development of broadband infrastructure  
42 within or adjacent to a multiuse corridor. The department shall  
43 give priority consideration to broadband infrastructure projects  
44 located in an area designated as a rural area of opportunity  
45 under s. 288.0656 and adjacent to a multiuse corridor.

46 Section 2. Section 364.0135, Florida Statutes, is amended  
47 to read:

48 364.0135 Promotion of broadband adoption; Florida Office of  
49 Broadband.—

50 (1) LEGISLATIVE FINDINGS.—The Legislature finds that the  
51 sustainable adoption of broadband Internet service is critical  
52 to the economic and business development of this ~~the~~ state and  
53 is beneficial for libraries, schools, colleges and universities,  
54 health care providers, and community organizations.

55 (2) DEFINITIONS.—As used in this section, the term:

56 (a) "Department" means the Department of Economic  
57 Opportunity.

58 (b) "Office" means the Florida Office of Broadband.

577-02734-20

20201166c1

59        (c) "Sustainable adoption" means the ability for  
60 communications service providers to offer broadband services in  
61 all areas of this ~~the~~ state by encouraging adoption and use  
62 ~~utilization~~ levels that allow for these services to be offered  
63 in the free market absent the need for governmental subsidy.

64        (d) "Underserved" means a geographic area of this state in  
65 which there is no provider of broadband Internet service that  
66 offers a connection to the Internet with a capacity for  
67 transmission at a consistent speed of at least 10 megabits per  
68 second downstream and at least 1 megabit per second upstream.

69        (3) ~~(2)~~ STATE ENTITY.—The department is designated as the  
70 lead state entity to facilitate the expansion of broadband  
71 Internet service in this state. The department shall ~~of~~  
72 ~~Management Services is authorized to~~ work collaboratively with  
73 ~~private businesses,~~ and ~~to~~ receive staffing support and other  
74 resources from, Enterprise Florida, Inc., state agencies, local  
75 governments, ~~private businesses,~~ and community organizations.

76        (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of  
77 Broadband is created within the Division of Community  
78 Development within the department for the purpose of developing,  
79 marketing, and promoting broadband Internet services to this  
80 state. The office, in the performance of its duties, shall do  
81 all of the following ~~to~~:

82        (a) ~~Monitor the adoption of broadband Internet service in~~  
83 ~~collaboration with communications service providers, including,~~  
84 ~~but not limited to, wireless and wireline Internet service~~  
85 ~~providers, to develop geographical information system maps at~~  
86 ~~the census tract level that will:~~

87        1. ~~Identify geographic gaps in broadband services,~~

577-02734-20

20201166c1

88 ~~including areas unserved by any broadband provider and areas~~  
89 ~~served by a single broadband provider;~~

90 ~~2. Identify the download and upload transmission speeds~~  
91 ~~made available to businesses and individuals in the state, at~~  
92 ~~the census tract level of detail, using data rate benchmarks for~~  
93 ~~broadband service used by the Federal Communications Commission~~  
94 ~~to reflect different speed tiers; and~~

95 ~~3. Provide a baseline assessment of statewide broadband~~  
96 ~~deployment in terms of percentage of households with broadband~~  
97 ~~availability.~~

98 ~~(b)~~ Create a strategic plan that has goals and strategies  
99 for increasing the use of broadband Internet service in this ~~the~~  
100 state.

101 ~~(b)~~ ~~(e)~~ Build and facilitate local technology planning teams  
102 or partnerships with members representing cross-sections of the  
103 community, which may include, but are not limited to,  
104 representatives from the following organizations and industries:  
105 libraries, K-12 education, colleges and universities, local  
106 health care providers, private businesses, community  
107 organizations, economic development organizations, local  
108 governments, tourism, parks and recreation, and agriculture.

109 ~~(c)~~ ~~(d)~~ Encourage the use of broadband Internet service,  
110 especially in the rural, unserved, or ~~and~~ underserved  
111 communities of this ~~the~~ state through grant programs having  
112 effective strategies to facilitate the statewide deployment of  
113 broadband Internet service. For any grants to be awarded,  
114 priority must be given to projects that:

115 1. Provide access to broadband education, awareness,  
116 training, access, equipment, and support to libraries, schools,

577-02734-20

20201166c1

117 colleges and universities, health care providers, and community  
118 support organizations.

119 2. Encourage the sustainable adoption of broadband in  
120 primarily unserved and underserved areas by removing barriers to  
121 entry.

122 3. Work toward encouraging investments in establishing  
123 affordable and sustainable broadband Internet service in  
124 unserved and underserved areas of this ~~the~~ state.

125 4. Facilitate the development of applications, programs,  
126 and services, including, but not limited to, telework,  
127 telemedicine, and e-learning to increase the usage of, and  
128 demand for, broadband Internet service in this ~~the~~ state.

129 (d) Monitor, participate in, and provide input on  
130 proceedings of the Federal Communications Commission and other  
131 federal agencies which are related to the geographic  
132 availability and deployment of broadband Internet service in  
133 this state as necessary to ensure that the information is  
134 accurately presented and that rural, unserved, and underserved  
135 areas of this state are best positioned to benefit from federal  
136 and state broadband deployment programs.

137 (5) ~~(3)~~ ADMINISTRATION.—The department may:

138 (a) Apply for and accept federal funds for purposes of this  
139 section, ~~as well as gifts and donations from individuals,~~  
140 ~~foundations, and private organizations.~~

141 (b) ~~(4)~~ ~~The department may~~ Enter into contracts necessary or  
142 useful to carry out the purposes of this section.

143 (c) ~~(5)~~ ~~The department may~~ Establish any committee or  
144 workgroup to administer and carry out the purposes of this  
145 section.

577-02734-20

20201166c1

146 Section 3. Chapter 2012-131, Laws of Florida, is repealed.

147 Section 4. This act shall take effect July 1, 2020.