

By the Committees on Appropriations; and Commerce and Tourism;
and Senator Albritton

576-03985-20

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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

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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.

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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,~~

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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. The plan must include a process to review and verify
101 public input regarding transmission speeds and availability of
102 broadband Internet service throughout the state.

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

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

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117 1. Provide access to broadband education, awareness,
118 training, access, equipment, and support to libraries, schools,
119 colleges and universities, health care providers, and community
120 support organizations.

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

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

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

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

139 (5) ~~(3)~~ ADMINISTRATION.—The department may:

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

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

145 (c) ~~(5)~~ ~~The department may~~ Establish any committee or

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146 workgroup to administer and carry out the purposes of this
147 section.

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

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