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CS/HB 969

2020 Legislature

1
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 as the lead state agency to facilitate the
11 expansion of broadband Internet service in the state;
12 requiring the department to work collaboratively with
13 certain entities; creating the Florida Office of
14 Broadband within the Division of Community Development
15 in the department; providing purpose and duties of the
16 office; repealing chapter 2012-131, Laws of Florida,
17 relating to broadband Internet service; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Paragraph (b) of subsection (2) of section
23 339.0801, Florida Statutes, is amended to read:

24 339.0801 Allocation of increased revenues derived from
25 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result

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26 | from increased revenues to the State Transportation Trust Fund
 27 | derived from the amendments to s. 319.32(5)(a) made by this act
 28 | must be used annually, first as set forth in subsection (1) and
 29 | then as set forth in subsections (2)-(5), notwithstanding any
 30 | other provision of law:

31 | (2)

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

44 | Section 2. Section 364.0135, Florida Statutes, is amended
 45 | to read:

46 | 364.0135 Promotion of broadband adoption; Florida Office
 47 | of Broadband.—

48 | (1) LEGISLATIVE FINDINGS.—The Legislature finds that the
 49 | sustainable adoption of broadband Internet service is critical
 50 | to the economic and business development of the state and is

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51 beneficial for libraries, schools, colleges and universities,
 52 health care providers, and community organizations.

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

54 (a) "Department" means the Department of Economic
 55 Opportunity.

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

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

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

67 (3) ~~(2)~~ STATE AGENCY.—The department is designated as the
 68 lead state agency to facilitate the expansion of broadband
 69 Internet service in the state. The department shall ~~of~~
 70 ~~Management Services~~ is authorized to work collaboratively with
 71 private businesses, and ~~to~~ receive staffing support and other
 72 resources from, Enterprise Florida, Inc., state agencies, local
 73 governments, ~~private businesses,~~ and community organizations.
 74 ~~to:~~

75 (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of

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76 Broadband is created within the Division of Community
77 Development in the department for the purpose of developing,
78 marketing, and promoting broadband Internet services in the
79 state. The office, in the performance of its duties, shall do
80 all of the following:

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

86 ~~1. Identify geographic gaps in broadband services,~~
87 ~~including areas unserved by any broadband provider and areas~~
88 ~~served by a single broadband provider;~~

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

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

97 ~~(b)~~ Create a strategic plan that has goals and strategies
98 for increasing the use of broadband Internet service in the
99 state. The plan must include a process to review and verify
100 public input regarding transmission speeds and availability of

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101 broadband Internet service throughout the state.

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

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

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

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

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

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

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

138 ~~(5)(3)~~ ADMINISTRATION.—The department may:

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

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

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

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

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