

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Tomkow offered the following:

**Amendment (with title amendment)**

Remove lines 51-176 and insert:

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

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

(a) "Broadband Internet service" means a service that offers a connection to the Internet with a capacity for

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14 transmission at a consistent speed of at least 25 megabits per  
15 second downstream and 3 megabits per second upstream.

16 (b)-(a) "Department" means the Department of Economic  
17 Opportunity.

18 (c) "Deployed" means that a broadband service provider  
19 meets either of the following:

20 1. Currently provides broadband Internet service in a  
21 specific geographic area; or

22 2. Is able to provide broadband Internet service in a  
23 specific geographic area to a customer that requests that  
24 service not later than 30 days after the customer requests  
25 installation of that service and without an extraordinary  
26 commitment of resources or construction charges or fees  
27 exceeding an ordinary service activation fee. The 30-day time  
28 period shall be extended to 60 days if permits are needed before  
29 the broadband Internet service is installed and activated.

30 (d)-(b) "Office" means the Florida Office of Broadband.

31 (e)-(e) "Sustainable adoption" means the ability for  
32 communications service providers to offer broadband services in  
33 all areas of this ~~the~~ state by encouraging adoption and use  
34 ~~utilization~~ levels that allow for these services to be offered  
35 in the free market absent the need for governmental subsidy.

36 (f)-(d) "Underserved" means a geographic area of this ~~the~~  
37 state in which there is no provider of broadband Internet  
38 service that offers a connection to the Internet with a capacity

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39 for transmission at a consistent speed of at least 100 ~~10~~  
40 megabits per second downstream and at least 10 megabits ~~1~~  
41 ~~megabit~~ per second upstream.

42 (g) "Unserved" means a geographic area of this state in  
43 which there is no provider of broadband Internet service.

44 (3) STATE AGENCY.—The department is designated as the lead  
45 state agency to facilitate the expansion of broadband Internet  
46 service in this ~~the~~ state. The department shall work  
47 collaboratively with private businesses and receive staffing  
48 support and other resources from Enterprise Florida, Inc., state  
49 agencies, local governments, and community organizations.

50 (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of  
51 Broadband is created within the Division of Community  
52 Development in the department for the purpose of developing,  
53 marketing, and promoting broadband Internet services in this ~~the~~  
54 state. The office, in the performance of its duties, shall do  
55 all of the following:

56 (a) Create a strategic plan that has goals and strategies  
57 for increasing and improving the availability of, access to, and  
58 use of broadband Internet service in this ~~the~~ state. In  
59 development of the plan, the department shall incorporate  
60 applicable federal broadband activities, including any efforts  
61 or initiatives of the Federal Communications Commission, to  
62 improve broadband Internet service in this state. The plan must  
63 identify available federal funding sources for the expansion or

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64 improvement of broadband. The strategic plan must be submitted  
65 to the Governor, the President of the Senate, and the Speaker of  
66 the House of Representatives by June 30, 2022. The strategic  
67 plan must be updated biennially thereafter. The plan must  
68 include a process to review and verify public input regarding  
69 transmission speeds and availability of broadband Internet  
70 service throughout this ~~the~~ state.

71 (b) Build and facilitate local technology planning teams  
72 or partnerships with members representing cross-sections of the  
73 community, which may include, but are not limited to,  
74 representatives from the following organizations and industries:  
75 libraries, K-12 education, colleges and universities, local  
76 health care providers, private businesses, community  
77 organizations, economic development organizations, local  
78 governments, tourism, parks and recreation, and agriculture. The  
79 local technology planning teams or partnerships shall work with  
80 rural communities to help the communities understand their  
81 current broadband availability, locate unserved and underserved  
82 businesses and residents, identify assets relevant to broadband  
83 deployment, build partnerships with broadband service providers,  
84 and identify opportunities to leverage assets and reduce  
85 barriers to the deployment of broadband Internet services in the  
86 community. The teams or partnerships must be proactive in  
87 fiscally constrained counties in identifying and providing  
88 assistance with applying for federal grants for broadband

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89 Internet service.

90 (c) Provide technical and planning assistance to rural  
91 communities.

92 (d)-(e) Encourage the use of broadband Internet service,  
93 especially in the rural, unserved, or underserved communities of  
94 this the state through grant programs having effective  
95 strategies to facilitate the statewide deployment of broadband  
96 Internet service. For any grants to be awarded, priority must be  
97 given to projects that:

98 1. Provide access to broadband education, awareness,  
99 training, access, equipment, and support to libraries, schools,  
100 colleges and universities, health care providers, and community  
101 support organizations.

102 2. Encourage the sustainable adoption of broadband  
103 Internet service in primarily underserved areas by removing  
104 barriers to entry.

105 3. Work toward encouraging investments in establishing  
106 affordable and sustainable broadband Internet service in  
107 unserved underserved areas of this the state.

108 4. Facilitate the development of applications, programs,  
109 and services, including, but not limited to, telework,  
110 telemedicine, and e-learning to increase the usage of, and  
111 demand for, broadband Internet service in this the state.

112 (e)-(d) Monitor, participate in, and provide input in  
113 proceedings of the Federal Communications Commission and other

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114 federal agencies related to the geographic availability and  
115 deployment of broadband Internet service in this ~~the~~ state as  
116 necessary to ensure that this information is accurately  
117 presented and that rural, unserved, and underserved areas of  
118 this ~~the~~ state are best positioned to benefit from federal and  
119 state broadband deployment programs.

120 (f) By June 30, 2022, and subject to appropriation,  
121 develop geographic information system maps of broadband Internet  
122 service availability throughout this state. The office shall  
123 collaborate with broadband service providers, state agencies,  
124 local governmental entities, private businesses, educational  
125 institutions, and community organizations and leaders to develop  
126 such maps.

127 1. The maps must do all of the following:

128 a. Be consistent with the Digital Opportunity Data  
129 Collection program reporting standards established by the  
130 Federal Communications Commission.

131 b. Identify where broadband-capable networks exist and  
132 broadband Internet service is available to end users.

133 c. Identify download and upload transmission speeds made  
134 available to businesses and individuals in this state.

135 d. Identify gaps in broadband Internet service coverage,  
136 specifying underserved and unserved areas within those areas of  
137 this state designated as a rural area of opportunity under s.  
138 288.0656(2).

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139 e. Include any other mapping information already compiled  
140 by other state agencies.

141 f. Be updated annually.

142 2. Any mapping data received from another governmental  
143 entity or a contractor must be verified. Such data must be  
144 verified against the source of the data and whether such entity  
145 is able to demonstrate that it has employed a sound and reliable  
146 methodology in the collection, organization, and verification of  
147 the data it has submitted to the office. If a governmental  
148 entity enters into a valid contract with a contractor to collect  
149 broadband Internet service availability data, the entity must  
150 describe the third party providing the data as well as the  
151 methodology used to collect, organize, and verify the  
152 availability data provided.

153 3. The office must establish a mechanism to receive and  
154 verify public input which identifies locations in which  
155 broadband Internet service is not available, including locations  
156 in which broadband Internet service is provided at data  
157 transmission speeds below the standard established by the  
158 Federal Communications Commission for broadband Internet  
159 service. Upon verification, the office shall adjust its  
160 geographic information system maps to reflect information  
161 received from the public. In developing and implementing this  
162 mechanism, the office may work in collaboration with, and  
163 receive staffing support and other resources from, Enterprise

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164 Florida, Inc., state agencies, local governments, private  
165 businesses, and community organizations.

166 (g) By June 30, 2022, and subject to appropriation,  
167 develop a broadband infrastructure asset map that includes, but  
168 is not limited to:

169 1. State and federal assets, including, but not limited  
170 to, municipally or city-owned towers that may be used by  
171 providers; rights-of-way that may be made available for easier  
172 and less expensive access to burying or stringing fiber optic  
173 cable; public transportation corridors; capital projects that  
174 may be used as an opportunity to lay new fiber optic conduit for  
175 future activation; and federal E-rate funding commitments.

176 2. Community-owned land and infrastructure, including, but  
177 not limited to, land that may be leased and utility poles that  
178 may be used to expand broadband networks.

179 (h) Administer the Broadband Opportunity Program  
180 established in s. 288.9962.

181 (5) ADMINISTRATION.—The department may:

182 (a) Apply for and accept federal funds for purposes of  
183 this section.

184 (b) Enter into contracts necessary or useful to carry out  
185 the purposes of this section.

186 (c) Establish any committee or workgroup to administer and  
187 carry out the purposes of this section.

188 (d) Adopt rules to implement this part.

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189 Section 4. Section 288.9962, Florida Statutes, is created  
190 to read:

191 288.9962 Broadband Opportunity Program.-

192 (1) The Broadband Opportunity Program is established  
193 within the office to award grants to applicants who seek to  
194 expand broadband Internet service to unserved areas of this  
195 state. The office must administer and act as fiscal agent for  
196 the program and is responsible for receiving and reviewing  
197 applications and awarding grants.

198 (2) Subject to appropriation, grants shall be awarded  
199 under this section to fund the installation or deployment of  
200 infrastructure that supports the provision of broadband Internet  
201 service. Grant funds may not be used to install or deploy

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

205 Remove line 8 and insert:

206 Florida Office of Broadband; revising the office's  
207 strategic plan related to goals and strategies;  
208 providing requirements for the development of the  
209 plan; requiring the updated plan to be submitted to  
210 the Governor and the Legislature by a specified date;  
211 requiring the plan to be updated biennially; requiring  
212 local technology planning teams or partnerships to  
213 work with rural communities for specified purposes;

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214 requiring the office to provide technical and planning  
215 assistance to rural communities; requiring the office  
216 to develop geographic information system maps in  
217 collaboration with specified entities and consistent  
218 with certain federal reporting standards by a  
219 specified date; specifying required contents of the  
220 maps; requiring the department to annually update such  
221 maps and establish a mechanism to receive and verify  
222 governmental and public input related to broadband  
223 Internet service; authorizing the department to work  
224 with specified entities in developing the mechanism;  
225 requiring the office to develop a broadband  
226 infrastructure asset map by a specified date;  
227 specifying required contents of the map; providing for  
228 rulemaking;

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