

By the Committee on Finance and Tax; and Senators Burgess, Diaz,
and Albritton

593-03645-21

20211592c1

1 A bill to be entitled
2 An act relating to broadband Internet infrastructure;
3 providing a short title; amending s. 212.08, F.S.;
4 exempting the purchase or lease of certain equipment
5 by a provider of communications services or a provider
6 of Internet access services in this state from the
7 sales and use tax; providing exceptions; defining
8 terms; creating s. 364.0137, F.S.; providing
9 legislative findings; defining terms; requiring
10 municipal electric utilities to ensure that their
11 broadband provider rates and fees meet certain
12 requirements, make certain records available to
13 broadband providers, provide access to its utility
14 poles, and establish just and reasonable terms and
15 conditions for broadband provider attachments;
16 providing a process for a municipal electric utility
17 and a broadband provider to enter into pole attachment
18 agreements; prohibiting municipal electric utilities
19 from prohibiting a broadband provider from using
20 certain techniques and equipment if used in accordance
21 with certain safety standards; providing an
22 application process and timelines for pole access
23 between a municipal electric utility and a broadband
24 provider; authorizing a broadband provider seeking a
25 new pole attachment to invoke the Florida one-touch,
26 make-ready process; providing requirements for such
27 process; authorizing a municipal electric utility to
28 make periodic inspections of a broadband provider's
29 attachments; requiring the broadband provider to

593-03645-21

20211592c1

30 reimburse the municipal electric utility for certain
31 costs relating to such inspections; authorizing a
32 municipal electric utility to conduct audits of such
33 attachments according to a specified timeframe;
34 requiring advanced written notice of such inspections
35 or audits; providing for the removal of pole
36 attachments within a specified timeframe upon
37 unresolved disputes; prohibiting a municipal electric
38 utility from charging additional rent or requiring
39 prior approval or applications for overlashes;
40 requiring any billed costs to be commercially
41 reasonable, nondiscriminatory, and sufficiently
42 detailed; authorizing municipal electric utilities and
43 broadband providers to seek any available remedies;
44 authorizing the Department of Revenue to adopt
45 emergency rules; providing that such rules are
46 effective for a specified timeframe and may be
47 renewed; providing an effective date.

48
49 WHEREAS, although this state is a national leader in
50 private sector broadband investment, including billions of
51 dollars invested by existing service providers, estimates show
52 that as many as 804,000 residents lack access to the services,
53 particularly in rural areas where the cost to deploy facilities
54 is significantly higher than in more densely populated areas,
55 and

56 WHEREAS, the lack of advanced communication capabilities,
57 broadband facilities, and services in certain areas deprives
58 residents of access to opportunities, and

593-03645-21

20211592c1

59 WHEREAS, the Legislature finds that it is in the public
60 interest of this state to encourage private-sector investment in
61 broadband deployment and upgrades, encourage greater
62 participation and access for all residents, and remove
63 regulatory and economic barriers to such investment, and

64 WHEREAS, the Legislature finds that it is in the public
65 interest of this state to encourage and facilitate the
66 development of and investment in broadband facilities to advance
67 Florida's economic competitiveness, create job opportunities,
68 enhance health care, and enhance educational advancement, and

69 WHEREAS, the Legislature finds that reasonable rates,
70 terms, and conditions for access and use of municipal utility
71 poles by broadband service providers are essential for the
72 deployment, upgrade, and maintenance of broadband service, and

73 WHEREAS, it is critical that such access rates, terms, and
74 conditions be reasonable and fully compensatory, as approved by
75 the federal pole attachment regime imposed by the Communications
76 Act of 1934, as amended, 47 U.S.C. s. 224, and the rules and
77 regulations of the Federal Communications Commission governing
78 utilities whose pole attachments are regulated under federal
79 law, NOW, THEREFORE,

80
81 Be It Enacted by the Legislature of the State of Florida:

82
83 Section 1. This act may be cited as the "Florida Broadband
84 Deployment Act of 2021."

85 Section 2. Paragraph (ppp) is added to subsection (7) of
86 section 212.08, Florida Statutes, to read:

87 212.08 Sales, rental, use, consumption, distribution, and

593-03645-21

20211592c1

88 storage tax; specified exemptions.—The sale at retail, the
89 rental, the use, the consumption, the distribution, and the
90 storage to be used or consumed in this state of the following
91 are hereby specifically exempt from the tax imposed by this
92 chapter.

93 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
94 entity by this chapter do not inure to any transaction that is
95 otherwise taxable under this chapter when payment is made by a
96 representative or employee of the entity by any means,
97 including, but not limited to, cash, check, or credit card, even
98 when that representative or employee is subsequently reimbursed
99 by the entity. In addition, exemptions provided to any entity by
100 this subsection do not inure to any transaction that is
101 otherwise taxable under this chapter unless the entity has
102 obtained a sales tax exemption certificate from the department
103 or the entity obtains or provides other documentation as
104 required by the department. Eligible purchases or leases made
105 with such a certificate must be in strict compliance with this
106 subsection and departmental rules, and any person who makes an
107 exempt purchase with a certificate that is not in strict
108 compliance with this subsection and the rules is liable for and
109 shall pay the tax. The department may adopt rules to administer
110 this subsection.

111 (ppp) Equipment purchased or leased in this state by a
112 provider of communications services or a provider of Internet
113 access services.—

114 1. The purchase or lease of qualifying equipment by a
115 provider of communications services or Internet access services
116 is exempt from the tax imposed by this chapter.

593-03645-21

20211592c1

117 2. The exemption provided by this paragraph does not apply
118 to the purchase or lease of any of the following:

119 a. Real property;

120 b. Improvements to real property;

121 c. Office furniture and fixtures;

122 d. General office equipment and machinery that is not used
123 to provide communications services or Internet access services;

124 e. Vehicles;

125 f. Customer premise equipment; or

126 g. Facilities used to distribute signals beyond the central
127 office, headend, or hub facilities, including fiber optic,
128 coaxial, or other transmission cables; amplifiers; taps; and
129 customer drops.

130 3. The exemption provided by this paragraph does not apply
131 to the tax levied by s. 212.031.

132 4. As used in this paragraph, the term:

133 a. "Central office" means the location where telephone
134 subscribers' lines are joined to switching equipment to connect
135 subscribers to each other, locally and long distance. Central
136 office equipment includes, but is not limited to, switches,
137 cable distribution frames, and batteries.

138 b. "Communications services" has the same meaning as in s.
139 202.11(1).

140 c. "Headend" means the primary location in a communications
141 provider's network which receives television programming signals
142 through satellite antennae or fiber optic cables for
143 distribution to the customer premises through a distribution
144 network. Headend equipment includes, but is not limited to,
145 computer-based electronic equipment that receives programming

593-03645-21

20211592c1

146 signals and uses prescribed processes to combine, amplify, and
147 convert the programming signals and transmit them through the
148 distribution network. The headend processes and combines signals
149 for distribution to hubs or directly to customer premises. In
150 most cases, the headend also serves as a distribution hub for
151 the fiber optic transfer nodes closest to the headend. The term
152 also includes a super headend, which processes all incoming
153 programming signals and transmits them to regional headends or
154 directly to hubs.

155 d. "Hub" means the secondary location in a communications
156 provider's network which is connected to the headend by a fiber
157 optic or other cable. A hub may contain electronic equipment
158 that processes, converts, and transmits signals through the
159 distribution network, and can serve a large number of business
160 and residential communities.

161 e. "Internet access service" has the same meaning as in s.
162 202.11(6) and only applies to services that provide access to
163 the Internet with a capacity for transmission at a consistent
164 speed of at least 25 megabits per second download and 3 megabits
165 per second upload.

166 f. "Provider of communications services or Internet access
167 services" includes a dealer as defined in s. 202.11(2), a
168 provider of Internet access service, and any member of an
169 affiliated group as defined in s. 202.37(1)(c)2.

170 g. "Qualifying equipment" means equipment, machinery,
171 software, or other infrastructure used to provide communications
172 services or Internet access services and located within a
173 central office, headend, or hub operated by a provider of
174 communications services or Internet access services.

593-03645-21

20211592c1

175 Section 3. Section 364.0137, Florida Statutes, is created
176 to read:

177 364.0137 Broadband service infrastructure.-

178 (1) The Legislature finds that just, reasonable, and
179 nondiscriminatory rates, terms, and conditions for the access
180 and use of municipal electric utility poles by broadband service
181 providers is essential to deploy, upgrade, and maintain
182 broadband service to residents of this state. It is critical
183 that municipal electric utility pole access and use rates are
184 just, reasonable, nondiscriminatory, and fully compensatory,
185 which may be achieved under the federal framework applicable to
186 utility poles owned and operated by investor-owned utilities.
187 The terms and conditions associated with the access and use of
188 utility poles must be consistent with 47 U.S.C. s. 224, the
189 Communications Act of 1934, as amended, and the regulations of
190 the Federal Communications Commission as those regulations
191 existed on July 1, 2021, except as authorized by this section
192 and agreed to by the parties.

193 (2) As used in this section, the term:

194 (a) "Attachment" means a wire or cable affixed to a utility
195 pole or structure in the communications space or in a duct,
196 conduit, or right-of-way owned or controlled by a municipal
197 electric utility.

198 (b) "Broadband provider" means a person who provides fixed,
199 terrestrial broadband service. The term includes a person who
200 provides or offers additional services to the public in addition
201 to broadband service.

202 (c) "Broadband service" means a service that provides high-
203 speed access to the Internet at a rate of at least 25 megabits

593-03645-21

20211592c1

204 per second in the downstream direction and at least 3 megabits
205 per second in the upstream direction.

206 (d) "Communications space" means the lower usable space on
207 a utility pole which is typically reserved for low-voltage
208 communications equipment.

209 (e) "Complex make-ready work" means transfers and work
210 within the communications space which would be reasonably likely
211 to cause a service outage or facility damage, including work
212 such as splicing of any communication attachment or relocation
213 of existing wireless attachments. The term includes any and all
214 wireless activities, including those involving mobile, fixed,
215 and point-to-point wireless communications and wireless service
216 providers, and any work involving the space above the safety
217 space as defined in the National Electrical Safety Code.

218 (f) "Larger order" means a pole attachment application
219 requesting access to a number of poles greater than the lesser
220 of 300 poles or 0.5 percent of a municipal electric utility's
221 poles, and up to the lesser of 3,000 poles or 5 percent of the
222 municipal electric utility's poles. For purposes of determining
223 whether a request is a larger order, a municipal electric
224 utility may treat multiple requests from a single new attacher
225 as one request when the requests are filed within 30 days of one
226 another.

227 (g) "Make-ready work" means engineering or construction
228 activities necessary to make a pole or similar structure
229 available for a new pole attachment or pole attachment
230 modification, including, but not limited to, rearrangement,
231 removal, and replacement of the pole, transfers, and other work
232 incident thereto.

593-03645-21

20211592c1

233 (h) "Redundant pole" means a utility pole designated for
234 removal from which the municipal electric utility has removed
235 its facilities and provided written notice to the broadband
236 service provider that the provider needs to remove its
237 facilities.

238 (i) "Simple make-ready work" means work in the
239 communications space to accommodate a new pole attachment on a
240 pole which can be conducted without any reasonable expectation
241 of a:

- 242 1. Service outage or facility damage;
- 243 2. Need to splice an existing communications attachment; or
- 244 3. Need to relocate an existing wireless attachment.

245 (j) "Utility pole" means a pole owned or controlled by a
246 municipal electric utility which is used in whole or in part for
247 electric distribution.

248 (3) To promote the deployment of broadband service to all
249 residents, each municipal electric utility shall:

250 (a) Charge just, reasonable, and nondiscriminatory rates
251 for access to any utility pole it owns or operates which do not
252 discriminate between or among such providers and any other
253 attaching entity, including any entity affiliated with the
254 municipal electric utility, regardless of the services
255 furnished. Except as provided in subsection (4), such rates may
256 not exceed the rate calculated consistent with 47 U.S.C. 224(d)
257 and any Federal Communications Commission regulations and
258 decisions adopted thereunder as such regulations and decisions
259 existed on July 1, 2021.

260 (b) Maintain and make available to a broadband provider all
261 records necessary to calculate the rate it charges to the

593-03645-21

20211592c1

262 provider in accordance with paragraph (a).

263 (c) Provide broadband providers with access to any utility
264 pole it owns or operates and adopt just, reasonable, and
265 nondiscriminatory terms and conditions for such access
266 consistent with the requirements applicable to investor-owned
267 utilities under 47 U.S.C. s. 224 and any Federal Communications
268 Commission regulations and decisions adopted thereunder, as such
269 regulations and decisions existed on July 1, 2021, except as
270 otherwise provided in this section and agreed to by the parties.
271 Notwithstanding the foregoing:

272 1. If necessary to accommodate a broadband provider's new
273 attachment, the municipal electric utility shall rearrange,
274 expand, replace, or otherwise safely reengineer any utility pole
275 upon the request of the broadband provider.

276 2. If the municipal electric utility is required to replace
277 a utility pole pursuant to subparagraph 1., the municipal
278 electric utility may require a broadband provider to reimburse
279 reasonable costs attributable solely to the new attachment.
280 Broadband providers may not be required to pay for the cost of
281 utility betterment or for costs attributable to preexisting
282 noncompliance.

283 (4) A municipal electric utility may require a broadband
284 provider to enter into a pole attachment agreement to attach to
285 a utility pole the municipal electric utility owns or operates,
286 and the parties shall negotiate such agreements in good faith.

287 (a) Broadband providers and municipal electric utilities
288 shall negotiate in good faith to adopt pole attachment
289 agreements consistent with this section or to amend existing
290 agreements to ensure that attachments installed after July 1,

593-03645-21

20211592c1

291 2021, are performed consistent with the terms of this section.
292 The parties must negotiate in good faith for at least 60 days
293 after receipt of a written request, after which either party may
294 petition the circuit court to determine rates, terms, and
295 conditions for the agreements consistent with this section.

296 (b) A municipal utility may not require a broadband
297 provider to comply with any utility pole attachment
298 specifications except as provided in this section.

299 1. A municipal electric utility may adopt publicly
300 available, reasonable, and nondiscriminatory safety and
301 engineering standards for the protection of public health,
302 safety, or welfare applicable to attachments to the municipal
303 electric utility's poles.

304 2. Safety and engineering standards adopted pursuant to
305 this section may not exceed the specifications in the National
306 Electrical Safety Code, applicable fire safety codes, or any
307 building code or publicly available, reasonable, and
308 nondiscriminatory municipal electric utility safety and
309 engineering standards for the protection of public health,
310 safety, or welfare adopted before the broadband provider filed a
311 utility pole attachment application.

312 (5) If a broadband provider does not request to use one-
313 touch, make-ready procedures pursuant to subsection (6), or if
314 such procedures are unavailable due to the nature of the make-
315 ready work required to accommodate a broadband provider's
316 attachment, a municipal electric utility and broadband provider
317 shall conduct the pole access process as provided under this
318 subsection.

319 (a) An application is deemed complete if the municipal

593-03645-21

20211592c1

320 electric utility does not respond within 10 business days or if
321 the response does not specify any reasons why the application is
322 incomplete. Preconstruction surveys and engineering must be
323 completed within 45 days or within 60 days for larger orders.

324 (b) If a municipal electric utility grants a pole
325 attachment application that requires make-ready work, the
326 municipal electric utility shall identify any make-ready work
327 necessary to accommodate the proposed pole attachment, on a
328 pole-by-pole basis if requested, along with a cost estimate,
329 within 15 days after the date of approval of the pole attachment
330 application. A municipal electric utility may withdraw an
331 outstanding estimate beginning 15 days after the estimate is
332 presented except that such time must be tolled during any good
333 faith negotiation concerning the estimate cost or timing.

334 (c) Upon receipt of payment of the estimate, a municipal
335 electric utility shall immediately notify in writing all known
336 entities with existing attachments which may be affected by the
337 make-ready work.

338 (d)1. Except as provided in paragraph (e), make-ready work
339 must be commenced within 20 business days after the date the
340 applicant made payment for the make-ready work estimate, and
341 must be completed in a timely manner, at a reasonable cost, and
342 as reasonably practicable, but not later than:

343 a. For applications requesting attachment to the lesser of
344 300 poles or 0.5 percent of the electric utility's poles in any
345 30-day period, 30 days or 90 days for attachments above the
346 communications space.

347 b. For larger orders, 75 days or 105 days for attachments
348 above the safety space.

593-03645-21

20211592c1

349 2. If an application seeks attachment to a number of poles
350 exceeding a larger order, the parties shall negotiate a
351 reasonable timeframe for completion of the make-ready work
352 covered by the application.

353 (e) A municipal electric utility may deviate from the
354 timelines set forth in paragraph (d) if the parties otherwise
355 agree in their pole attachment agreement, or for good and
356 sufficient cause that renders it infeasible to complete the
357 make-ready work within the time limits set forth in this
358 section, including incidents of natural disasters and
359 emergencies.

360 (f) If a municipal electric utility or any existing
361 attachers fail to complete a survey necessary to the review of
362 an application or to complete make-ready work within the times
363 specified in this section, a broadband provider may hire a
364 contractor to perform such survey or make-ready work.

365 (g) A new attacher shall provide the affected municipal
366 electric utility and existing attachers with advance notice of
367 not less than 5 days of the impending make-ready work and within
368 15 days after completion of make-ready work on a particular
369 pole. The municipal electric utility and affected existing
370 attachers shall inspect the make-ready work within 90 days after
371 receipt of notice.

372 (h) The new attacher shall notify an affected utility or
373 existing attacher immediately if make-ready work damages the
374 equipment of a utility or an existing attacher or causes an
375 outage that is reasonably likely to interrupt the service of a
376 utility or an existing attacher. Upon notice or discovery of
377 damage or noncompliance caused by the new attacher, the utility

593-03645-21

20211592c1

378 or existing attacher may either:

379 1. Complete any necessary remedial work and bill the new
380 attacher for the reasonable costs related to fixing the damage;

381 or

382 2. Require the new attacher to fix the damage at its
383 expense immediately following notice from the utility or
384 existing attacher.

385 (6) A broadband provider seeking a new pole attachment may
386 elect to invoke the Florida one-touch, make-ready (FOTMR)
387 process pursuant to this subsection.

388 (a) Any FOTMR pole attachment application must identify the
389 make-ready work to be performed and must state that the make-
390 ready work required for every utility pole in the application
391 does not require anything more than simple make-ready work. It
392 is the responsibility of the broadband provider to ensure that
393 the make-ready work requested in an attachment application is
394 simple make-ready work and not complex make-ready work.

395 (b) A municipal electric utility shall review a new FOTMR
396 pole attachment application for completeness. An application is
397 deemed complete if the municipal electric utility does not
398 respond within 10 business days after receipt of the application
399 or if the response does not specify any reasons why the
400 application is incomplete.

401 (c) A municipal electric utility shall review a completed
402 application requesting FOTMR and respond to the applicant either
403 granting or denying an application within 15 days after the
404 municipal electric utility's receipt of a complete application
405 or 30 days after for a larger order.

406 (d) The municipal electric utility or an existing attacher

593-03645-21

20211592c1

407 may object in writing to the applicant's designation that
408 certain aspects of the work required is simple make-ready work.
409 If the municipal electric utility or existing attacher
410 reasonably objects, then the work is deemed complex make-ready
411 work and the FOTMR process is not available to the broadband
412 provider and the application must be processed under the
413 standard make-ready provisions.

414 (e) The new attacher is responsible for coordinating all
415 surveys as part of the FOTMR process and shall use a qualified
416 contractor as set forth in this section. The new attacher shall
417 make commercially reasonable efforts to provide at least 3
418 business days advance notice to the municipal electric utility
419 and existing attachers to allow them to be present for any
420 surveys performed in advance of the FOTMR application.

421 (f) If the new attacher's application is approved and if it
422 has provided 15 days prior written notice of the date, time and
423 nature of the make-ready work to the affected municipal electric
424 utility and existing attaching entities, the new attacher may
425 proceed with the make-ready work using a qualified contractor.

426 (g) The new attacher shall notify any affected municipal
427 electric utility or existing attaching entity immediately if the
428 make-ready work performed damages any equipment or facilities of
429 the municipal electric utility or of an existing attaching
430 entity. Upon receiving notice from the applicant, the municipal
431 electric utility or existing attaching entity may each make the
432 decision to:

433 1. Complete any necessary remedial work and bill the
434 applicant for the actual costs incurred related to fixing the
435 damage or outage; or

593-03645-21

20211592c1

436 2. Require the applicant to fix the damage or outage at its
437 expense immediately following the notice from the municipal
438 electric utility or any existing attacher.

439 (h) The new attacher shall notify the municipal electric
440 utility and existing attachers within 15 days after the make-
441 ready work is completed on a particular pole, and the municipal
442 electric utility and existing attachers shall have 90 days after
443 receipt of the notice to inspect the make-ready work at the new
444 attacher's cost. The municipal electric utility and existing
445 attaching entities may complete any necessary remedial work and
446 bill the applicant for the actual cost incurred or require the
447 applicant the fix the damage or code violations at its expense
448 within 14 days after notice from the pole owner or existing
449 attaching entity.

450 (7) (a) A municipal electric utility may make periodic
451 inspections of a broadband provider's attachments, using its own
452 employees or contractors, and such broadband provider shall
453 reimburse the municipal electric utility for the actual and
454 reasonable expense of such inspections, but only for the costs
455 of inspecting the poles on which the broadband provider is found
456 to be in violation of the National Electrical Safety Code or
457 publicly available, reasonable, and nondiscriminatory municipal
458 electric utility safety and engineering standards for the
459 protection of public health, safety, or welfare permitted by
460 this section.

461 (b) No more frequently than once every 5 years, a municipal
462 electric utility may conduct an audit of a broadband provider's
463 attachments, with the reasonable cost of the audit of the
464 broadband provider's attachments to be borne by the broadband

593-03645-21

20211592c1

465 provider. If the results of the pole audit show attachments to
466 poles by the broadband service provider not previously
467 authorized by the municipal electric utility, such poles must be
468 added to the next annual rent invoice and the municipal electric
469 utility may require the broadband service provider to pay up to
470 5 years' back rent for attachments to all such poles not
471 previously authorized as required by the agreement in effect at
472 the time of the attachment.

473 (c) The municipal electric utility shall give a broadband
474 provider reasonable advance written notice of such audits or
475 inspections, except in those instances where safety
476 considerations justify the need for such inspection without the
477 delay of waiting until written notice has been received.

478 (8) If a municipal electric utility pole owner and any
479 attacher cannot reach an agreement or have a dispute related to
480 facilities attached to a redundant pole:

481 (a) A broadband service provider must remove its pole
482 attachments from a redundant pole within 120 calendar days after
483 receipt of written or electronic notice consistent with industry
484 standards from the pole owner requesting such removal which
485 notice includes the pole number, physical address, and GIS
486 coordinates of such pole.

487 (b) If a broadband service provider fails to remove a pole
488 attachment pursuant to paragraph (a), except to the extent
489 excused by an event of force majeure or other good cause, the
490 pole owner or its agent may transfer or relocate the pole
491 attachment to a new pole at the noncompliant attaching entity's
492 expense or, if no new pole exists because the municipal electric
493 utility has relocated its facilities underground, remove the

593-03645-21

20211592c1

494 pole attachment and store the attached facility for 60 days.

495 (c) The broadband service provider shall indemnify, defend,
496 and hold harmless the pole owner and its directors, officers,
497 agents, and employees from and against all liability for direct
498 damage and personal injury caused by the removal, transfer,
499 sale, or disposal of the pole attachments from a redundant pole
500 by the pole owner except to the extent of the municipal electric
501 utility's negligence or willful misconduct.

502 (9) Municipal electric utilities may not charge additional
503 rent or require prior approval or applications for a broadband
504 provider that overlashes its existing wires on a pole. Municipal
505 electric utilities may require up to 15 days' advance notice of
506 planned overlashing. A party that engages in overlashing is
507 responsible for its own equipment and shall ensure that it
508 complies with National Electrical Safety Code and publicly
509 available, reasonable, and nondiscriminatory municipal electric
510 utility safety and engineering standards for the protection of
511 public health, safety, or welfare permitted by this section.

512 (10) Municipal electric utilities and broadband providers
513 are responsible for their own costs related to utility poles and
514 attachments, except as specifically provided herein. Any costs
515 billed in connection with pole attachments must be commercially
516 reasonable and nondiscriminatory, and must include sufficient
517 detail to enable the billed party to verify the accuracy and
518 reasonableness of the costs. A municipal electric utility that
519 provides broadband shall impute to itself the costs of providing
520 such services, and charge any affiliate, subsidiary, or
521 associate company engaged in the provision of such services, an
522 equal amount to the pole attachment rate for which such company

593-03645-21

20211592c1

523 would be liable under this section.

524 (11) A municipal electric utility or broadband provider may
525 seek any available remedies at law or equity for violations of
526 this section. In all cases involving this section, and to the
527 extent not otherwise provided by this section, the court shall
528 give effect to the provisions and intent of 47 U.S.C. s. 224 and
529 any Federal Communications Commission rules, regulations, or
530 decisions adopted thereunder, as such existed on July 1, 2021,
531 or as authorized by this section.

532 Section 4. (1) The Department of Revenue is authorized, and
533 all conditions are deemed met, to adopt emergency rules pursuant
534 to s. 120.54(4), Florida Statutes, for the purpose of
535 administering this act.

536 (2) Notwithstanding any other law, emergency rules adopted
537 pursuant to subsection (1) are effective for 6 months after
538 adoption and may be renewed during the pendency of procedures to
539 adopt permanent rules addressing the subject of the emergency
540 rules.

541 (3) This section shall take effect upon this act becoming a
542 law and expires July 1, 2022.

543 Section 5. This act shall take effect July 1, 2021.