

1                                    A bill to be entitled  
 2            An act relating to broadband infrastructure; amending  
 3            s. 288.9961, F.S.; revising the duties of the Florida  
 4            Office of Broadband to include administering certain  
 5            reimbursements; creating s. 288.9964, F.S.;  
 6            authorizing certain persons to apply to the office for  
 7            reimbursement of certain pole replacement costs,  
 8            subject to the availability of funds; defining the  
 9            term "pole replacement costs"; providing conditions  
 10           under which pole replacement costs are eligible for  
 11           reimbursement; providing application requirements;  
 12           requiring the office to annually publish certain  
 13           information on its website and provide certain  
 14           information to the Governor and Legislature; requiring  
 15           the Department of Economic Opportunity to adopt rules;  
 16           providing an effective date.

17  
 18    Be It Enacted by the Legislature of the State of Florida:

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 20            Section 1. Paragraph (g) is added to subsection (4) of  
 21            section 288.9961, Florida Statutes, to read:

22            288.9961 Promotion of broadband adoption; Florida Office  
 23            of Broadband.—

24            (4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of  
 25            Broadband is created within the Division of Community

26 | Development in the department for the purpose of developing,  
 27 | marketing, and promoting broadband Internet services in this  
 28 | state. The office, in the performance of its duties, shall do  
 29 | all of the following:

30 |       (g) Administer reimbursements under s. 288.9964.

31 |       Section 2. Section 288.9964, Florida Statutes, is created  
 32 | to read:

33 |       288.9964 Reimbursement of certain pole replacement costs.—

34 |       (1) Any person eligible to apply for a grant award under  
 35 | s. 288.9962 may apply to the Florida Office of Broadband for  
 36 | reimbursement of pole replacement costs as specified in this  
 37 | section, subject to the availability of funds. If funds  
 38 | disbursed or awarded to the state by the federal government are  
 39 | used to provide reimbursement under this section, such use must  
 40 | comply with any requirements or conditions for use of the  
 41 | federal funds.

42 |       (2) For purposes of this section, the term "pole  
 43 | replacement costs" means the actual costs incurred by an  
 44 | eligible applicant:

45 |       (a) To remove and dispose of one or more existing poles  
 46 | that are owned by an electric utility as defined in s.  
 47 | 366.02(2), a communications services provider as defined in s.  
 48 | 366.02(5), a cable television operator, or a local exchange  
 49 | carrier and that are used in whole or in part to distribute  
 50 | electricity or provide wireline communications service;

51 (b) To purchase and install one or more replacement poles;  
 52 and

53 (c) To transfer to such replacement pole or poles any  
 54 facilities previously attached to the pole or poles that were  
 55 removed and replaced.

56 (3) Pole replacement costs are eligible for reimbursement  
 57 under this section if:

58 (a) The costs are actually incurred by an eligible  
 59 applicant to install or deploy infrastructure to support the  
 60 provision of broadband Internet service to customers in an  
 61 unserved area;

62 (b) Federal or state funds have not been awarded to a  
 63 broadband Internet service provider to install or deploy  
 64 infrastructure to support the provision of broadband Internet  
 65 service to customers in the same area; and

66 (c) The applicant has not applied for any other federal or  
 67 state funds to install or deploy infrastructure to support the  
 68 provision of broadband Internet service to customers in the same  
 69 area.

70 (4) Applications for reimbursement of pole replacement  
 71 costs under this section shall provide information sufficient to  
 72 establish the actual amount of the costs incurred and eligible  
 73 for reimbursement and such other information as required by the  
 74 office and shall be submitted in a form specified by the office.

75 (5) By January 1, 2023, and each year thereafter, the

76 office shall publish on its website and provide to the Governor,  
77 the President of the Senate, and the Speaker of the House of  
78 Representatives a list of all reimbursement applications  
79 received during the previous fiscal year and for each  
80 application:

81 (a) The reimbursement amounts requested;

82 (b) The reimbursement amounts awarded, if any; and

83 (c) To the extent available, the number of end-use  
84 locations, by customer class, to which broadband Internet  
85 service has been made available through pole replacements  
86 supported by reimbursements under this section.

87 (6) The department shall adopt rules to implement this  
88 section. Such rules may specify maximum annual reimbursement  
89 amounts per applicant and maximum reimbursement amounts per  
90 eligible pole replacement.

91 Section 3. This act shall take effect July 1, 2022.