

2020 Second Extraordinary Session

HOUSE BILL NO. 74

BY REPRESENTATIVES DESHOTEL, ADAMS, AMEDEE, BEAULLIEU, BOURRIAQUE, BUTLER, CARRIER, GARY CARTER, ROBBY CARTER, COX, CREWS, DAVIS, DEVILLIER, ECHOLS, EDMONDS, EMERSON, FARNUM, FREIBERG, GADBERRY, GAROFALO, GOUDEAU, HARRIS, IVEY, JEFFERSON, MIKE JOHNSON, JONES, KERNER, LYONS, MAGEE, MCCORMICK, MCKNIGHT, MCMAHEN, MIGUEZ, NEWELL, ORGERON, CHARLES OWEN, PIERRE, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SELDERS, STEFANSKI, THOMPSON, TURNER, WHITE, AND WRIGHT AND SENATORS JOHNS AND MIZELL

1 AN ACT

2 To enact R.S. 36:4(CC), R.S. 49:968(B)(21)(d), and Chapter 12 of Title 51 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1365, relative to
4 the office of broadband and connectivity; to place the office within the executive
5 branch; to provide definitions; to provide for the appointment of an executive
6 director; to require reporting; to provide for functions, powers, and duties; to
7 establish contract authority; to provide for termination of the office; and to provide
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 36:4(CC) is hereby enacted to read as follows:

11 §4. Structure of executive branch of state government

12 * * *

13 CC. The office of broadband and connectivity (R.S. 51:1361 et seq.) shall
14 be placed within the office of the governor and shall perform and exercise its powers,
15 duties, functions, and responsibilities as provided by law.

16 Section 2. R.S. 49:968(B)(21)(d) is hereby enacted to read as follows:

17 §968. Review of agency rules; fees

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(d) The office of broadband and connectivity shall submit the report to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs.

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Section 3. Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1365, is hereby enacted to read as follows:

CHAPTER 12. THE OFFICE OF BROADBAND AND CONNECTIVITY

§1361. Definitions

When used in this Chapter:

(1) "Connectivity" means the capacity for the interconnection of platforms, systems, and applications. It includes but is not limited to systems that utilize cable, fiber, lines, satellites, sound waves, or wire to transmit information.

(2) "Government agency" means any department, office, council, or agency of the federal, state, or local government, or any public benefit corporation or authority authorized by law.

(3) "Office" means the office of broadband and connectivity.

(4) "Person" means any natural or juridical person, including corporations.

§1362. The office of broadband and connectivity

A. There is hereby created within the office of the governor the office of broadband and connectivity. The head of the office shall be the executive director of broadband and connectivity who shall be appointed by the governor to serve at his pleasure. The appointment shall be subject to Senate confirmation.

B. The executive director shall employ necessary staff to carry out the duties and functions of the office as provided in this Chapter, or as otherwise provided by law.

1 C. On or before February first of each year, the executive director shall
 2 prepare and submit to the governor, the House Committee on Commerce, the Senate
 3 Committee on Commerce, Consumer Protection, and International Affairs, and the
 4 Joint Legislative Committee on Technology and Cybersecurity, a comprehensive
 5 report to include, at a minimum, the following information:

6 (1) Activities undertaken by the office during the previous year.

7 (2) Data concerning broadband and other connectivity services in this state
 8 and expansion and deployment of these services.

9 (3) An assessment of the current availability and accessibility of broadband
 10 and other connectivity services in the state.

11 (4) A mapping initiative to identify availability of broadband to every home
 12 and business in the state.

13 (5) Availability and description of public or private grants available for the
 14 expansion or enhancement of broadband services and other connectivity services in
 15 the state.

16 (6) Recommendations for legislative proposals.

17 (7) Identification of resources to assist the office in performing its functions
 18 and duties.

19 D. The governor shall direct that all state agencies provide the executive
 20 director with assistance in advancing the purpose of the office and assure that the
 21 activities of the office are fully coordinated with the activities of state agencies
 22 providing related services.

23 §1363. Functions, powers, and duties

24 The office of broadband and connectivity, by and through the executive
 25 director or his employees, shall have the following functions, powers, and duties:

26 (1) To provide comprehensive information relating to broadband and
 27 connectivity in the state upon request to any person or government agency.

28 (2) To promote and encourage broadband adoption for households that have
 29 not accessed services.

1 (3) To study and identify barriers to households that have not adopted
2 broadband services.

3 (4) To advise and assist any person or government agency in addressing
4 particular broadband and connectivity needs, including cooperative efforts among
5 such persons and agencies.

6 (5) To establish procedures to review and comment on the federal mapping
7 initiative created by the Broadband DATA Act, Public Law 116-130 that precisely
8 maps the availability of broadband services to every home and business in the state.

9 (6) To research programs relating to broadband and connectivity services
10 and receive notification from every person and government agency engaged in the
11 provision of broadband and connectivity services of program descriptions,
12 appropriation data, and application procedures. The office shall maintain a listing
13 of existing programs and advise persons or government agencies of their existence.

14 (7) To assist, upon request, applicant persons or government agencies in
15 obtaining timely and efficient responses from state and federal agencies; to assist the
16 applicants in consideration of program grant strategies; to assist state and federal
17 agencies in cooperative approaches to address the needs of the applicants; and to
18 provide technical assistance to government agencies in formulating and
19 implementing broadband expansion and connectivity programs.

20 (8) To encourage the assistance of the private sector, including broadband
21 service providers, to effectuate the deployment and access to broadband and other
22 connectivity services to all residents of the state.

23 (9) To assist the governor and the legislature in the development and
24 integration of a broadband deployment plan and long-range plans to more effectively
25 and efficiently provide access to any new connectivity options.

26 (10) To analyze and make recommendations concerning proposed state
27 legislation or programs that may affect the expansion of broadband and other
28 connectivity services.

29 (11) To apply for, receive, and administer grants or financial assistance from
30 persons or government agencies.

1 (12) To adopt and promulgate such rules and regulations, procedures,
 2 instructions, and forms as are deemed necessary to implement the functions, powers,
 3 and duties imposed upon the office by this Chapter in accordance with the provisions
 4 of the Administrative Procedure Act.

5 (13) To do all things necessary or convenient to carry out the functions,
 6 powers, and duties expressly set forth in this Chapter.

7 §1364. Contract authority

8 The office is hereby empowered to enter into any agreement or contract with
 9 any persons or government agencies necessary or convenient to carry out the
 10 provisions of this Chapter.

11 §1365. Termination

12 The provisions of this Chapter shall terminate at twelve o'clock midnight on
 13 June 30, 2023, and shall thereafter have no effect.

14 Section 4. The provisions of this Act shall only go into effect at such time as funds
 15 are appropriated sufficient to fully fund these provisions.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____