

HOUSE BILL 2076

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 7,  
relative to advanced broadband systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 59, is amended by adding the following as a new appropriately designated Part:

7-59-401.

(a) This part shall be known and may be cited as the “Broadband Infrastructure for Regional Economic Development Act of 2011.”

(b) It is recognized by the general assembly that the statewide deployment of state-of-the-art broadband technologies and infrastructure, both in densely populated areas and in rural areas of the state, is in the public interest and is vital to the development of educational, health care, economic development and other opportunities for all citizens of this state.

7-59-402.

As used in this part, unless the context otherwise requires:

(1) “Advanced broadband system” means any system, plant or equipment used for the provision of broadband connectivity, telecommunications, cable service, two-way video transmission, video programming, Internet services, or any other like system, plant or equipment that utilizes a fiber to premises or fiber to the curb architecture or otherwise has a minimum symmetrical communication capacity of at least 100Mbps in each direction;

(2) “Broadband service provider” means any private, non-profit, or governmental provider of retail broadband services including, without limitation,

Internet, telephone, telecommunications, cable, video, and other similar services; and

(3) "Municipality" means any county, incorporated city, town, or metropolitan government in this state and specifically includes each municipal electric plant, each revenue generating department, division or unit of local government and each authority and other unit of local government established by private act.

7-59-403.

The general assembly urges all municipalities to endeavor to utilize advanced broadband systems in their operations and to encourage the construction of advanced broadband systems.

7-59-404.

Beginning on March 1, 2012, the Tennessee regulatory authority shall file a report on March 1 of each year until 2014 with the speaker of the senate, the speaker of the house of representatives, the governor, the chair of the commerce, labor and agriculture committee of the senate, and the chair of the commerce committee of the house of representatives. The report shall be compiled by the Tennessee regulatory authority and shall contain, for each broadband service provider operating in the state, the number of residential, commercial, industrial and governmental customers utilizing advanced broadband services in the state of Tennessee. Responses to the data requests of the Tennessee regulatory authority shall be voluntary, and nothing in this part shall modify the jurisdiction of the Tennessee regulatory authority.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.