

HOUSE BILL 2364

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 6; Title 7; Title 13; Title 48 and Title 65,
relative to telecommunications.

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

SECTION 1. Tennessee Code Annotated, Section 65-25-202, is amended by deleting subdivision (13) in its entirety and substituting instead the following:

(13)

(A) "Telecommunications" includes the furnishing of telephone service, either local or long distance, leased lines or equipment for the vocal or written transmission of messages, or any related services for which a charge is made if each of the following conditions are met:

(i) The entity furnishing telecommunications is a cooperative;

(ii) The cooperative provides electric service to any county having a population of no more than seven thousand nine hundred (7,900), according to the 2010 federal census or any subsequent federal census;

(iii) The cooperative owns an existing dark fiber network in the county set out in subdivision (13)(A)(ii); and

(iv) The cooperative does not provide broadband Internet service to any residents of the county served by a rural telephone cooperative as of January 1, 2014.

(B) If the requirements of subdivision (13)(A) are not met, then "telecommunications" does not include the furnishing of telephone service, either local or

long distance, leased lines or equipment for the vocal or written transmission of messages, or any related services for which a charge is made.

(C) For the purposes of this subdivision (13):

(1) "Broadband Internet service" means an asymmetrical connection to the Internet from a home computer with an expected download data transfer rate of at least one and one half megabits per second (1.5 Mbps); and

(2) "Dark fiber network" means an existing network of fiber optic cables capable of hosting or facilitating the transmission of laser signals that is not in use.

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