

## **BILL ANALYSIS**

C.S.H.B. 2422  
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State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that many rural Texans lack access to broadband Internet service. With the continuing reliance on high-speed Internet connectivity in our daily lives, concerns have been raised that this lack of broadband access is leaving rural communities behind in areas such as education, health care, and economic development. C.S.H.B. 2422 seeks to promote and incentivize cost-effective broadband expansion by providing for the coordination of certain broadband projects by the Texas Department of Transportation.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2422 amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to encourage and coordinate efforts to plan, relocate, install, or improve broadband conduit in highway rights-of-way in conjunction with any current or planned highway construction. The bill requires TxDOT to develop a strategy to facilitate the timely and efficient deployment of broadband conduit or other broadband facilities on state-owned land and in state-owned buildings in areas where such a strategy is needed. The bill requires TxDOT to give special consideration to applicable projects that are likely to improve access to broadband by rural or underserved communities. The bill requires TxDOT, to the extent practicable, to assist political subdivisions in taking advantage of voluntary joint trenching opportunities. These provisions of the bill expressly do not authorize TxDOT to require a conduit or facility in a right-of-way to be relocated at the conduit or facility owner's expense.

C.S.H.B. 2422 requires TxDOT to submit to the legislature an annual report that explains the actions taken by TxDOT in carrying out the bill's provisions, any gains in broadband speed or access associated with voluntary joint trenching opportunities, and any costs or cost savings to the state, private entities, or end users of broadband services associated with voluntary joint trenching opportunities.

### **EFFECTIVE DATE**

September 1, 2019.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2422 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the entity required to perform the duties imposed by the bill relating to the coordination of broadband installation and to submit the annual report from the Public Utility Commission of Texas to TxDOT and does not include certain provisions relating to collaboration.

The substitute does not include provisions establishing the duty to evaluate engineering and design standards, procedures and criteria for contracts or lease agreements, and pricing requirements and the duty to provide for allocation of risk, costs, and any revenue generated.

The substitute specifies that the strategy required to be developed to facilitate the timely and efficient deployment of broadband conduit or other broadband facilities on state-owned land and in state-owned buildings applies to areas where such a strategy is needed.

The substitute does not include a provision requiring political subdivisions to be assisted in adopting and implementing applicable projects for the construction or improvement of roads under the jurisdiction of political subdivisions and for broadband deployment on land or in buildings owned by political subdivisions. The substitute includes a provision requiring political subdivisions to be assisted in taking advantage of voluntary joint trenching opportunities.

The substitute establishes that certain bill provisions do not authorize TxDOT to require a conduit or facility in a right-of-way to be relocated at the conduit or facility owner's expense.

The substitute revises details of the required annual report.