

BILL ANALYSIS

Senate Research Center
86R29201 BRG-D

C.S.H.B. 1960
By: Price et al. (Perry)
Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1960 amends current law relating to the creation of the governor's broadband development council.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 4, Government Code, by adding Chapter 490H, as follows:

CHAPTER 490H. GOVERNOR'S BROADBAND DEVELOPMENT COUNCIL

Sec. 490H.001. DEFINITIONS. Defines "broadband" and "unserved area" and defines "council" to mean the governor's broadband development council (council) for purposes of this chapter.

Sec. 490H.002. COMPOSITION. (a) Provides that the council is composed of the following 17 voting members:

- (1) two representatives of separate Internet service provider industry associations, including at least one representative of an association that primarily represents small providers, as defined by Section 56.032 (Adjustment: Small and Rural Incumbent Local Exchange Company Universal Service Plan), Utilities Code, appointed by the governor;
- (2) one representative of the health information technology industry, appointed by the governor;
- (3) two representatives of unaffiliated nonprofit organizations that advocate for elderly persons statewide, appointed by the governor;
- (4) two representatives of unaffiliated nonprofit organizations that have a demonstrated history of working with the legislature and the public to identify solutions for expanding broadband to rural, unserved areas of this state, appointed by the governor;
- (5) one representative of an agricultural advocacy organization in this state, appointed by the governor;
- (6) one representative of a hospital advocacy organization in this state, appointed by the governor;
- (7) one representative of a medical advocacy organization in this state, appointed by the governor;

(8) one county official who serves in an elected office of a county with a population of less than 35,000, appointed by the governor;

(9) one municipal official who serves in an elected office of a municipality with a population of less than 20,000 located in a county with a population of less than 60,000, appointed by the governor;

(10) one representative of an institution of higher education that has its main campus in a county with a population of less than 60,000, appointed by the governor;

(11) one representative of a school district with a territory that includes only counties with a population of less than 60,000, appointed by the governor;

(12) one representative from a library association, appointed by the governor;

(13) one member of the house of representatives, appointed by the speaker of the house of representatives; and

(14) one state senator, appointed by the lieutenant governor.

(b) Provides that a member of the council appointed under Subsection (a) serves for a five-year term.

(c) Provides that a vacancy on the council is filled in the same manner as the original appointment.

Sec. 490H.003. COUNCIL PRESIDING OFFICER. Requires the governor to designate the presiding officer of the council.

Sec. 490H.004. MEETINGS. (a) Requires the council to convene at least once every quarter.

(b) Requires the council to convene at the call of the presiding officer.

Sec. 490H.005. ADMINISTRATIVE SUPPORT. Requires the Office of the Governor to provide administrative support to the council.

Sec. 490H.006. DUTIES. (a) Requires the council to:

(1) research the progress of broadband development in unserved areas;

(2) identify barriers to residential and commercial broadband deployment in unserved areas;

(3) study technology-neutral solutions to overcome barriers identified under Subdivision (2); and

(4) analyze how statewide access to broadband would benefit:

(A) economic development;

(B) the delivery of educational opportunities in higher education and public education;

(C) state and local law enforcement;

(D) state emergency preparedness; and

(E) the delivery of health care services, including telemedicine and telehealth.

(b) Authorizes the council to research another matter related to broadband only if a majority of the council approves researching the matter.

(c) Authorizes the council, for the purpose of performing its duties under this section, to consult with a representative of an institution of higher education who has published scholarly research on broadband.

Sec. 490H.007. ANNUAL REPORT. Requires the council, not later than November 1 of each year, to prepare and deliver an electronic report of its findings and recommendations to the governor, the lieutenant governor, and each member of the legislature.

Sec. 490H.008. EXPIRATION. Provides that this chapter expires September 1, 2029.

SECTION 2. Provides that the first report described by Section 490H.007, Government Code, as added by this Act, is due November 1, 2020.

SECTION 3. Effective date: upon passage or September 1, 2019.