DIGEST

HB 603 Original   2023 Regular Session   Deshotel

Abstract: Provides for changes relative to GUMBO, the office of broadband development and connectivity (office), and broadband service providers.

Present law defines "unserved area".

Proposed law retains present law and further provides that an area that has only a digital describer line, or satellite internet below 100 megabits per second download and 20 megabits per second upload, or fixed wireless below 100 megabits per second download and 20 megabits per second upload is considered unserved.

Present law authorizes any entity submitting broadband data to the office to challenge any project area ultimately deemed eligible.

Proposed law retains present law and requires the office to start the challenge process at least 90 days before the future grant round is launched. Authorizes the office to use the Federal Communications Commission's (FCC) broadband data map and the National Telecommunications and Information Administration's preferred model approach to conduct the process for local governments, nonprofit organizations, and internet service providers to challenge the service in this state.

Proposed law authorizes the office to validate a basis for challenge upon a valid internet service provider's reservations for project areas using private funds. Further requires the director of the office or his designee to evaluate challenges based on reasons other than if a project area is served or unserved. Further requires the office to keep challenge details confidential to the extent required for evaluation and consistency with federal requirements.

Proposed law prohibits local governments, nonprofit profit organizations, and internet service providers from protesting the challenge results.

Present law provides for the application process to receive funding.

Proposed law retains present law and requires the office to run a grant round for a 30 day period from the date the round is opened until the application deadline. Authorizes the office to incorporate federal funding into grant rounds. Requires a grant round to be preceded by a challenge process that opened no longer than 12 months prior and no more recently than 60 days.

Proposed law requires the office to define project areas eligible for grant funding based on the most

recently updated map by the FCC and requires adjustment to funding according to the outcomes of the challenge process. Provides that new broadband serviceable locations within the defined project area that are not included on the latest FCC map are to be served by the award winner before project completion. Further requires all project areas to be released to the public before a grant round.

Proposed law requires the Joint Legislative Committee on Technology and Cybersecurity to approve project areas before the beginning of a grant round.

Present law requires applications to be scored based upon a system that awards a single point for criteria considered to be the minimum level for the provision of broadband service with additional points awarded to criteria that exceed minimum levels. Further requires the office to develop the scoring system.

Proposed law retains present law and authorizes local governments, nonprofit organizations, and internet service providers to challenge the award up to 7 days after the announcement if the entity believes that a scoring error occurred that would result in an award change. Further requires the office to amend scoring to comply with federal guidelines if federal grant funds are being used

(Amends R.S. 51:2370.2(17) and 2370.7(intro. para.); Adds R.S. 51:2370.3(J)(7)-(10), 2370.4(D)-(G) and 2370.7(B) and (C))