

An Act

ENROLLED HOUSE
BILL NO. 2928

By: McCall and Dollens of the
House

and

Leewright and Bergstrom of
the Senate

An Act relating to rural broadband; requiring private broadband service providers and certain satellite-based broadband private providers to submit map data by certain date; requiring certain supplemental map data submission by certain date; authorizing the promulgation of certain rules; requiring certain public entities to submit certain map data in certain form annually; requiring private providers and public entities to disclose certain information on properties served and speeds of Internet service; allowing for process to correct map inaccuracies; providing that certain information remain confidential; requiring the Rural Broadband Expansion Council to determine data submission format; excepting certain information from disclosure; requiring third party to collect data; requiring data be submitted by certain process; requiring Oklahoma Department of Commerce and the Council to annually update certain map using data collected; stating map requirements; allowing for certain annual evaluation; providing for codification; and declaring an emergency.

SUBJECT: Rural broadband

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 139.203 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. On or before October 31, 2021, and annually thereafter, in accordance with the FCC Data Collection and Methodology, private broadband service providers operating in this state and satellite-based broadband private providers that have been designated as an eligible telecommunications carrier pursuant to 47 U.S.C., Section 214(e) (6) for any portion of Oklahoma, hereinafter referred to as "private providers", shall submit to the Oklahoma Department of Commerce and the Rural Broadband Expansion Council the broadband network area coverage map data the private providers are required to submit to the Federal Communications Commission pursuant to the federal Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C., Section 641 et seq. The map data shall be updated annually through a supplemental submission by the private providers that reflects changes in area coverage from the preceding year. The Department is authorized to promulgate rules for the collection of the broadband network area coverage map reports from the private providers.

B. On or before October 31 of each year, OneNet, the Office of Management and Enterprise Services and the Oklahoma Department of Transportation, hereinafter referred to as "public entities", shall submit to the Oklahoma Department of Commerce and the Rural Broadband Expansion Council broadband network area coverage map data of all assets and network coverage in the format requested by the Oklahoma Department of Commerce and Council.

C. Private providers and public entities shall disclose to the Oklahoma Department of Commerce and the Rural Broadband Expansion Council the properties they serve and the maximum advertised download and upload speeds at which they provide any Internet services to those properties, and shall be afforded by the Oklahoma Department of Commerce and the Council a process to petition for correction of potential inaccuracies in the map.

D. The reports and information required to be disclosed pursuant to this section by private providers shall remain confidential pursuant to Section 24A.10 of Title 51 of the Oklahoma Statutes. The Council shall determine the required submission format of the data submitted under the provisions of this act. In no instance shall private providers be required to submit any data, in substantive content or form or schedule, beyond or in advance of

the data described in subsection A of this section, or any data containing customer information, such as names, addresses or account numbers. The Department shall use a third party to collect the data submitted by private providers under the provisions of this act. The third party shall deliver data to the Department following a white label process to remove information identifying specific providers.

E. On or before December 1 of each year, the Department and the Council shall update the map required by subsection G of Section 139.202 of Title 17 of the Oklahoma Statutes using the data collected under the provisions of this act in a manner that identifies the assets and service areas of the public entities while displaying anonymized information, without reference to any specific private provider, of the assets and service areas of private providers.

F. After the FCC completes the national Broadband Serviceable Location Fabric and accompanying National Broadband Availability Map, the Rural Broadband Expansion Council shall annually evaluate whether the State of Oklahoma needs to continue producing an annually updated statewide broadband map in accordance with the provisions of this section.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 9th day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 21st day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____