

1 **SENATE FLOOR VERSION**

2 March 30, 2021

3 ENGROSSED HOUSE
4 BILL NO. 2928

By: McCall and Dollens of the
House

5 and

6 Leewright of the Senate

7
8
9 An Act relating to rural broadband; requiring private
10 broadband service providers and certain satellite-
11 based broadband private providers to submit map data
12 by certain date; requiring certain supplemental map
13 data submission by certain date; authorizing the
14 promulgation of certain rules; requiring certain
15 public entities to submit certain map data in certain
16 form annually; requiring private providers and public
17 entities to disclose certain information on
18 properties served and speeds of Internet service;
19 allowing for process to correct map inaccuracies;
20 providing that certain information remain
21 confidential; requiring the Rural Broadband Expansion
22 Council to determine data submission format;
23 excepting certain information from disclosure;
24 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.

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

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

4 A. On or before October 31, 2021, and annually thereafter, in
5 accordance with the FCC Data Collection and Methodology, private
6 broadband service providers operating in this state and satellite-
7 based broadband private providers that have been designated as an
8 eligible telecommunications carrier pursuant to 47 U.S.C., Section
9 214(e) (6) for any portion of Oklahoma, hereinafter referred to as
10 "private providers", shall submit to the Oklahoma Department of
11 Commerce and the Rural Broadband Expansion Council the broadband
12 network area coverage map data the private providers are required to
13 submit to the Federal Communications Commission pursuant to the
14 federal Broadband Deployment Accuracy and Technological Availability
15 Act, 47 U.S.C., Section 641 et seq. The map data shall be updated
16 annually through a supplemental submission by the private providers
17 that reflects changes in area coverage from the preceding year. The
18 Department is authorized to promulgate rules for the collection of
19 the broadband network area coverage map reports from the private
20 providers.

21 B. On or before October 31 of each year, OneNet, the Office of
22 Management and Enterprise Services and the Oklahoma Department of
23 Transportation, hereinafter referred to as "public entities", shall
24 submit to the Oklahoma Department of Commerce and the Rural

1 Broadband Expansion Council broadband network area coverage map data
2 of all assets and network coverage in the format requested by the
3 Oklahoma Department of Commerce and Council.

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

11 D. The reports and information required to be disclosed
12 pursuant to this section by private providers shall remain
13 confidential pursuant to Section 24A.10 of Title 51 of the Oklahoma
14 Statutes. The Council shall determine the required submission
15 format of the data submitted under the provisions of this act. In
16 no instance shall private providers be required to submit any data,
17 in substantive content or form or schedule, beyond or in advance of
18 the data described in subsection A of this section, or any data
19 containing customer information, such as names, addresses or account
20 numbers. The Department shall use a third party to collect the data
21 submitted by private providers under the provisions of this act.
22 The third party shall deliver data to the Department following a
23 white label process to remove information identifying specific
24 providers.

1 E. On or before December 1 of each year, the Department and the
2 Council shall update the map required by subsection G of Section
3 139.202 of Title 17 of the Oklahoma Statutes using the data
4 collected under the provisions of this act in a manner that
5 identifies the assets and service areas of the public entities while
6 displaying anonymized information, without reference to any specific
7 private provider, of the assets and service areas of private
8 providers.

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
20 March 30, 2021 - DO PASS

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