A bill to be entitled

An act relating to broadband Internet service;
amending s. 364.0135, F.S.; revising legislative
findings; defining terms; revising the duties of the
Florida Office of Broadband within the Department of
Economic Opportunity; requiring local technology
planning teams or partnerships to work with rural
communities for specified purposes; requiring the
office to develop geographic information system maps
in collaboration with specified entities and
consistent with certain federal reporting standards by
a specified date; specifying required contents of the
maps; requiring the department to annually update such
maps and establish a mechanism to receive and verify
governmental and public input related to broadband
Internet service; authorizing the department to work
collaboratively with specified entities in developing
the mechanism; requiring the office to develop a
broadband infrastructure asset map by a specified
date; specifying required contents of the map;
establishing the Broadband Deployment Task Force
within the office for a specified purpose; requiring
the department to provide administrative and technical
assistance to the task force; providing for the
membership and duties of the task force; requiring the
task force to submit annual progress reports to the
Governor and the Legislature by a specified date;
providing that certain information provided to the
department from broadband service providers retains
its exemption from public disclosure; creating s.
364.0136, F.S.; defining terms; requiring the office
to establish a process to identify eligible households
to receive federal Emergency Broadband Benefit Program
funds under certain circumstances; providing for
direct subsidy payments; providing for household
participation in the program; requiring the office to
provide certain information to potentially eligible
households; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 364.0135, Florida Statutes, is amended
to read:

364.0135 Promotion of broadband adoption; Florida Office
of Broadband.—

(1) LEGISLATIVE FINDINGS.—The Legislature finds that the
sustainable adoption of broadband Internet service is critical
to the economic and business development of this the
state and is beneficial for all residents of this state,
libraries, schools, colleges and universities, health care
providers, and community organizations.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Economic Opportunity.

(b) "Office" means the Florida Office of Broadband.

(c) "Sustainable adoption" means the ability for communications service providers to offer broadband services in all areas of this state by encouraging adoption and utilization levels that allow for these services to be offered in the free market absent the need for governmental subsidy.

(d) "Task force" means the Broadband Deployment Task Force within the office.

(e) "Underserved" means a geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 10 megabits per second downstream and at least 1 megabit per second upstream.

(f) "Unserved" means a geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and at least 3 megabits per second upstream.

(3) STATE AGENCY.—The department is designated as the lead state agency to facilitate the expansion of broadband Internet
service in the state. The department shall work collaboratively with private businesses and receive staffing support and other resources from Enterprise Florida, Inc., state agencies, local governments, and community organizations.

(4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of Broadband is created within the Division of Community Development in the department for the purpose of developing, marketing, and promoting broadband Internet services in the state. The office, in the performance of its duties, shall do all of the following:

(a) Create a strategic plan that has goals and strategies for increasing the use of broadband Internet service in the state. The plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout the state.

(b) Build and facilitate local technology planning teams or partnerships with members representing cross-sections of the community, which may include, but are not limited to, representatives from the following organizations and industries: libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture. The local technology planning teams or partnerships shall work with rural communities to help the communities understand their
current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet services in the community. The teams or partnerships must be proactive in fiscally constrained counties in identifying and providing assistance with applying for federal grants for broadband Internet service.

(c) Encourage the use of broadband Internet service, especially in the rural, unserved, or underserved communities of this the state through grant programs having effective strategies to facilitate the statewide deployment of broadband Internet service. For any grants to be awarded, priority must be given to projects that:

1. Provide access to broadband education, awareness, training, access, equipment, and support to libraries, schools, colleges and universities, health care providers, and community support organizations.

2. Encourage the sustainable adoption of broadband in primarily underserved areas by removing barriers to entry.

3. Work toward encouraging investments in establishing affordable and sustainable broadband Internet service in underserved areas of this the state.

4. Facilitate the development of applications, programs,
and services, including, but not limited to, telework, telemedicine, and e-learning to increase the usage of, and demand for, broadband Internet service in this the state.

(d) Monitor, participate in, and provide input in proceedings of the Federal Communications Commission and other federal agencies related to the geographic availability and deployment of broadband Internet service in this the state as necessary to ensure that this information is accurately presented and that rural, unserved, and underserved areas of this the state are best positioned to benefit from federal and state broadband deployment programs.

(e) By June 30, 2022, develop geographic information system maps of broadband Internet service availability throughout this state. The office shall collaborate with broadband service providers, state agencies, local governmental entities, private businesses, educational institutions, and community organizations and leaders to develop such maps.

1. The maps must do all of the following:
   a. Be consistent with the Digital Opportunity Data Collection program reporting standards established by the Federal Communications Commission.
   b. Identify where broadband-capable networks exist and broadband Internet service is available to end users.
   c. Identify download and upload transmission speeds made available to businesses and individuals in this state.
d. Identify gaps in broadband Internet service coverage, specifying underserved and unserved areas within those areas of this state designated as a rural area of opportunity under s. 288.0656(2).

e. Include any other mapping information already compiled by other state agencies.

f. Be updated annually.

2. Any mapping data received from another governmental entity or a contractor must be verified. Such data must be verified against the source of the data and whether such entity is able to demonstrate that it has employed a sound and reliable methodology in the collection, organization, and verification of the data it has submitted to the office. If a governmental entity enters into a valid contract with a contractor to collect broadband availability data, the entity must describe the third party providing the data as well as the methodology used to collect, organize, and verify the availability data provided.

3. The office must establish a mechanism to receive and verify public input which identifies locations in which broadband Internet service is not available, including locations in which broadband Internet service is provided at data transmission speeds below the standard established by the Federal Communications Commission for broadband Internet service. Upon verification, the board shall adjust its geographic information system maps to reflect information

CODING: Words stricken are deletions; words underlined are additions.
received from the public. In developing and implementing this mechanism, the office may work in collaboration with, and receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations.

(f) By June 30, 2022, develop a broadband infrastructure asset map that includes, but is not limited to:

1. State and federal assets, including, but not limited to, municipally or city-owned towers that may be used by providers; rights-of-way that may be made available for easier and less expensive access to burying or stringing fiber optic cable; public transportation corridors; capital projects that may be used as an opportunity to lay new fiber optic conduit for future activation; and federal E-rate funding commitments; and

2. Community-owned land and infrastructure, including, but not limited to, land that may be leased and utility poles that may be used to expand broadband networks.

(5) BROADBAND DEPLOYMENT TASK FORCE.—The Broadband Deployment Task Force, a task force as defined in s. 20.03(8), is established within the department to support and provide recommendations to the office for the deployment of broadband Internet service throughout this state, including, but not limited to, rural buildout and urban adoption strategies. The department shall provide administrative and technical assistance to the task force in the performance of its duties. The task
force shall operate in a manner consistent with s. 20.052.

(a) The task force shall be composed of the following members, who must be appointed by September 1, 2021, and who must have an interest and significant expertise in broadband Internet services:

1. One member from each of the following state agencies, who shall be appointed by his or her agency head: the Department of Agriculture and Consumer Services, the Department of Management Services, the Department of Transportation, the Department of Education, the Department of Health, and the Office of Technology and Information Services.

2. One member from the Florida Association of Counties as a representative of underserved or unserved rural communities, who is recommended by the association and appointed by the executive director.

3. One member from the Florida League of Cities as a representative of underserved or unserved rural communities, who is recommended by the league and appointed by the executive director.

4. Two members of the public who are appointed by the Governor, including one member who resides in an underserved area of this state and one member who resides in an unserved area of this state.

5. One member from each of the following segments of the broadband industry, who shall be appointed by the Governor: a
wireless provider, a wireline provider, a broadband satellite provider, a cable provider, a rural local exchange carrier, and a competitive local exchange carrier.

(b) Any vacancy on the task force must be filled in the same manner as the original appointment.

(c) The task force shall:

1. Identify any available federal funding sources for the expansion or improvement of broadband Internet services in this state.

2. Identify any gaps in broadband Internet service coverage for any area of this state.

3. Develop strategies to expand broadband Internet service to any area of this state designated as a rural area of opportunity, including, but not limited to, methods of building partnerships with local governments, other state and federal entities, electric utilities, the business community, and the public to support broadband Internet service in such areas.

4. Develop an urban adoption strategy to address areas of this state which have broadband Internet service, but where such service is not affordable.

5. Identify specific projects that will accomplish the deployment of broadband Internet service throughout this state, including grants provided through the rural infrastructure fund pursuant to s. 288.0655(2)(b).

6. Coordinate with the Cabinet, state agencies, and other
governmental entities with oversight in broadband Internet activities or potential funding opportunities.


(d) The task force shall submit a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 30, 2022, and each year thereafter.

(6) CONFIDENTIALITY.—Any information that is confidential or exempt from public disclosure under chapter 119 when in the possession of the department retains its status as confidential or exempt from disclosure under chapter 119 when provided by a broadband service provider under this section.

(7) ADMINISTRATION.—The department may:

(a) Apply for and accept federal funds for purposes of this section.

(b) Enter into contracts necessary or useful to carry out the purposes of this section.

(c) Establish any committee or workgroup to administer and carry out the purposes of this section.

Section 2. Section 364.0136, Florida Statutes, is created to read:

364.0136 Broadband assistance funds.—
(1) For purposes of this section, the term:

(a) "Broadband service provider" means a provider of broadband Internet access service in this state.

(b) "Federal broadband program" means the Emergency Broadband Benefit Program within the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 and regulations adopted thereunder.

(2) In order to assist participating broadband service providers in identifying potential recipients for broadband assistance funds under the federal broadband program, the Florida Office of Broadband, as created in s. 364.0135, must establish a process to quickly identify potential eligible households to receive such funds.

(3) An eligible broadband service provider that participates in and receives funds under the federal broadband program must provide direct subsidy payments by providing monthly discounts for eligible households as set forth in the federal broadband program. A provider may not disqualify a household because a member of the household has any past or present arrearages with a broadband provider. Such discounts may be no more than the standard rate for an Internet service offering and associated equipment, in an amount equal to that set forth in the federal broadband program.

(4) To be eligible for direct subsidy payments, an eligible household must demonstrate low income. Such eligible
households include those in which at least one member of the household is eligible for the National School Lunch Program or the School Breakfast Program, as provided in s. 595.402, has experienced a substantial loss of income since February 29, 2020, has received a federal Pell Grant, is eligible for the federal Lifeline program, or meets participation requirements for a service provider's existing low-income or COVID-19 program, subject to any other eligibility requirements required by the Federal Communications Commission.

(5) Where possible, the office shall provide potentially eligible households with notice of their potential eligibility to receive financial assistance under the federal broadband program and shall also direct the members of those households to other state or federal resources that may provide assistance with debt relief.

Section 3. This act shall take effect July 1, 2021.