

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0396.01 Christopher McMichael x4775

**HOUSE BILL 26-1211**

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**HOUSE SPONSORSHIP**

**Story and Mabrey,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE REGULATION OF BROADBAND SERVICES BY THE**  
102     **PUBLIC UTILITIES COMMISSION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill authorizes the public utilities commission (commission) to regulate broadband service and voice-over-internet protocol (VoIP) service in the state. The commission may adopt rules related to the quality, safety, and resiliency of broadband services in Colorado.

The commission is authorized to conduct evaluations of broadband service facilities and infrastructure and to issue orders that require an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

internet service provider to take remedial actions to correct unsafe or inadequate service. The commission is required to submit to the general assembly an annual report regarding the quality, safety, and resiliency of broadband and VoIP services.

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1       *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Short title.** The short title of this act is the  
3        "Broadband Resiliency, Public Safety, and Quality Act".

4           **SECTION 2. Legislative declaration.** (1) The general assembly  
5        finds and declares that:

6               (a) Access to high-speed and reliable broadband service is  
7        essential for participation in the economy, education, and civic life;

8               (b) Colorado must ensure that the state's residents have access to  
9        broadband networks that are resilient, high quality, and safe;

10               (c) Because voice-over-internet protocol service, or "VoIP  
11        service", has replaced traditional voice telephone service for a large  
12        segment of Colorado's population, ensuring the reliability of VoIP service  
13        is in the public interest; and

14               (d) There is a need to address ambiguity in VoIP service  
15        regulations in order to establish and enforce appropriate oversight and  
16        regulation of broadband and VoIP services in order to meet the state's  
17        goals of providing high-quality, affordable, and safe broadband and VoIP  
18        services to Colorado residents.

19           **SECTION 3.** In Colorado Revised Statutes, **add** 40-15-210 as  
20        follows:

21           **40-15-210. Regulation of broadband service and  
22        voice-over-internet protocol service by commission - definitions -  
23        rules.**

3 (a) "BROADBAND" OR "BROADBAND SERVICE" MEANS BROADBAND  
4 INTERNET SERVICE PROVIDED OVER A BROADBAND NETWORK AND  
5 INCLUDES BROADBAND SERVICE PROVIDED OVER LOW EARTH ORBIT  
6 INTERNET SATELLITES.

7 (b) "INTERNET SERVICE PROVIDER" MEANS A PERSON, A BUSINESS,  
8 OR AN ORGANIZATION QUALIFIED TO DO BUSINESS IN THE STATE THAT  
9 PROVIDES INDIVIDUALS OR OTHER PERSONS WITH THE ABILITY TO CONNECT  
10 TO THE INTERNET THROUGH USE OF A BROADBAND SERVICE.

16 (a) ESTABLISHING STANDARDS TO ENSURE THE RESILIENCY AND  
17 RELIABILITY OF BROADBAND INFRASTRUCTURE;

18 (b) REQUIRING INTERNET SERVICE PROVIDERS TO SUBMIT  
19 INFORMATION TO THE COMMISSION RELATED TO BROADBAND NETWORK  
20 RELIABILITY, ADEQUACY, AND RESILIENCY;

21 (c) REQUIRING INTERNET SERVICE PROVIDERS TO REPORT  
22 OUTAGES;

23 (d) ESTABLISHING SAFETY STANDARDS FOR BROADBAND  
24 NETWORKS TO ENSURE PUBLIC SAFETY;

25 (e) REQUIRING INTERNET SERVICE PROVIDERS TO SUBMIT PLANS  
26 RELATED TO EMERGENCY PREPAREDNESS AND POST-EMERGENCY  
27 BROADBAND NETWORK RESTORATION;

3 (g) REQUIRING INTERNET SERVICE PROVIDERS TO SUBMIT TO THE  
4 COMMISSION DATA AND INFORMATION RELATED TO THE DEPLOYMENT,  
5 AVAILABILITY, PRICING, AND ADOPTION OF BROADBAND SERVICE AND  
6 VOIP SERVICE.

19 (b) THE REMEDIAL ACTIONS ORDERED BY THE COMMISSION  
20 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION MAY INCLUDE:

21 (I) REQUIRING AN INTERNET SERVICE PROVIDER TO CONDUCT  
22 MEASURES TO IMPROVE BROADBAND SERVICE OR CORRECT VIOLATIONS OF  
23 THIS SECTION;

24 (II) REQUIRING AN INTERNET SERVICE PROVIDER TO SUBMIT PLANS  
25 TO THE COMMISSION THAT DETAIL HOW THE INTERNET SERVICE PROVIDER  
26 WILL RESOLVE ANY BROADBAND SERVICE ISSUES OR HOW THE INTERNET  
27 SERVICE PROVIDER WILL CORRECT ANY VIOLATIONS OF THIS SECTION:

4 (IV) REQUIRING AN INTERNET SERVICE PROVIDER TO BUILD,  
5 IMPROVE, OR REPAIR INFRASTRUCTURE OR FACILITIES RELATED TO  
6 BROADBAND SERVICE THAT MAY BE CAUSING ISSUES OF NETWORK  
7 RELIABILITY, SAFETY, OR AFFORDABILITY OR THAT ARE CAUSING  
8 VIOLATIONS OF THIS SECTION; AND

9 (V) ISSUING FINES TO AN INTERNET SERVICE PROVIDER THAT  
10 VIOLATES THIS SECTION OR RULES ADOPTED BY THE COMMISSION  
11 PURSUANT TO THIS SECTION.

12 (c) THE COMMISSION SHALL CREDIT ANY FINES COLLECTED  
13 PURSUANT TO THIS SECTION TO THE GENERAL FUND.

19 (b) THE REPORT CONDUCTED BY THE COMMISSION PURSUANT TO  
20 THIS SUBSECTION (5) MUST INCLUDE THE FOLLOWING INFORMATION, WITH  
21 RESPECT TO THE PRIOR YEAR:

22 (I) THE AMOUNT OF PEOPLE IN COLORADO THAT ARE RECEIVING  
23 BROADBAND SERVICE FROM INTERNET SERVICE PROVIDERS;

24 (II) BROADBAND SERVICE PERFORMANCE DATA AND  
25 MEASUREMENTS RELATED TO THE QUALITY, RELIABILITY, SAFETY, AND  
26 AFFORDABILITY OF BROADBAND SERVICE, AS COMPARED TO ESTABLISHED  
27 INDUSTRY STANDARDS FOR BROADBAND SERVICE PERFORMANCE;

4 (IV) ANY VIOLATIONS THAT THE COMMISSION FOUND AGAINST  
5 AND ANY FINES THAT THE COMMISSION ISSUED TO AN INTERNET SERVICE  
6 PROVIDER FOR A VIOLATION OF THIS SECTION OR RULES ADOPTED  
7 PURSUANT TO THIS SECTION AND THE OUTCOME OF THE VIOLATIONS  
8 FOUND; AND

12 (c) THE COMMISSION SHALL SUBMIT THE REPORT PREPARED  
13 PURSUANT TO THIS SUBSECTION (5) TO THE HOUSE OF REPRESENTATIVES  
14 BUSINESS AFFAIRS AND LABOR COMMITTEE AND THE SENATE BUSINESS,  
15 LABOR, AND TECHNOLOGY COMMITTEE, OR THEIR SUCCESSOR  
16 COMMITTEES.

17 (d) THE COMMISSION MAY ADOPT ANY RULES NECESSARY RELATED  
18 TO THE SUBMISSION OR COLLECTION OF INFORMATION FROM AN INTERNET  
19 SERVICE PROVIDER IN ORDER TO CONDUCT THE REPORT REQUIRED  
20 PURSUANT TO THIS SUBSECTION (5).

21 (e) THE REPORTS REQUIRED BY SUBSECTION (5)(a) OF THIS  
22 SECTION ARE EXEMPT FROM SECTION 24-1-136 (11)(a)(I).

23                   **SECTION 4.** In Colorado Revised Statutes, 40-15-401, amend  
24                   (1)(c), (1)(i), and (1)(q); and **repeal** (1)(r) as follows:

25           **40-15-401. Services, products, and providers exempt from**  
26           **regulation - definition.**

27 (1) The following products, services, and providers are exempt

1 from regulation under this article 15 or under the "Public Utilities Law"  
2 of the state of Colorado:

3 (c) Commercial mobile radio services; EXCEPT THAT THE  
4 COMMISSION MAY REGULATE BROADBAND SERVICE IN ACCORDANCE WITH  
5 SECTION 40-15-210;

6 (i) Information services; EXCEPT THAT THE COMMISSION MAY  
7 REGULATE BROADBAND SERVICE IN ACCORDANCE WITH SECTION  
8 40-15-210;

9 (q) Internet-protocol-enabled services; EXCEPT THAT THE  
10 COMMISSION MAY REGULATE BROADBAND SERVICE IN ACCORDANCE WITH  
11 SECTION 40-15-210;

12 (r) ~~Voice-over-internet protocol service;~~

13 **SECTION 5. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly (August  
16 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
17 referendum petition is filed pursuant to section 1 (3) of article V of the  
18 state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2026 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.