



**Legislative
Council Staff**

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FISCAL NOTE

Drafting Number:	LLS 18-0495	Date:	January 23, 2018
Prime Sponsors:	Rep. Catlin; McLachlan Sen. Coram	Bill Status:	House Transportation
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Bill Topic: BROADBAND DEPLOYMENT LEVEL PLAYING FIELD

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>potential, minimal</i>)	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill requires the Broadband Deployment Board to consider new criteria related to speed and cost when telecommunication companies execute a first right of refusal for a competitor's broadband grant application. It may create a minimal, one-time workload impact.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, the Broadband Deployment Board in the Department of Regulatory Agencies (DORA) must allow an incumbent telecommunications provider in an unserved area the right of first refusal when another provider applies for grant funding from the board to deploy broadband in the incumbent's area.

This bill requires the board to include in its criteria for first right of refusal that the incumbent prove that its speed and cost is equal to or less than the applicant's, specifically that the incumbent:

- demonstrate downstream and upstream speeds equal to or faster than those indicated in the applicant's proposed project, and
- provide the service at a cost per area household that is equal to or less than the applicant's.

State Expenditures

If the Broadband Deployment Board or the Public Utilities Commission in DORA perform rulemaking to codify the criteria outlined in the bill, these agencies will have a minimal, one-time workload increase.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed. It applies to applications submitted on or after that date.

State and Local Government Contacts

Counties
Information Technology
Municipalities

Economic Development
Law
Regulatory Agencies

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Local Affairs