HOUSE COMMITTEE OF REFERENCE REPORT

_____   _____April 11, 2018_____
Chairman of Committee   Date

Committee on <u>State, Veterans, & Military Affairs</u>.

After consideration on the merits, the Committee recommends the following:

<u>HB18-1312</u>   be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1   Amend printed bill, page 3, strike lines 21 through 23 and substitute:

2   "(2) (a)   IF THE COMMISSION LEARNS, THROUGH ITS OWN
3   INVESTIGATION OR THROUGH INFORMATION RECEIVED FROM THE
4   BROADBAND DEPLOYMENT BOARD OR FROM A COLORADO CONSUMER,
5   THAT A FEDERAL AGENCY HAS ISSUED A FINAL ORDER OR ENTERED INTO
6   A SETTLEMENT OR CONSENT DECREE REGARDING, OR A COURT OF
7   COMPETENT JURISDICTION HAS ISSUED A FINAL DECISION AGAINST, AN
8   INTERNET SERVICE PROVIDER AND THE COMMISSION DETERMINES FROM
9   THE ORDER, DECREE, OR DECISION THAT THE INTERNET SERVICE PROVIDER
10   HAS ENGAGED IN CONDUCT THAT CONSTITUTES ENGAGING IN ONE OF THE
11   PRACTICES LISTED IN SUBSECTIONS (1)(a) TO (1)(d) OF THIS SECTION, THE
12   COMMISSION SHALL".

13   Page 6, after line 14 insert:

14   "**SECTION 2.** In Colorado Revised Statutes, 40-15-509.5, **add**
15   (8.3) as follows:
16   **40-15-509.5.   Broadband service - report - broadband**
17   **deployment board - broadband administrative fund - creation -**
18   **repeal.** (8.3) THE BOARD SHALL PERIODICALLY REVIEW THE WEBSITES OF
19   THE FEDERAL TRADE COMMISSION AND THE FEDERAL COMMUNICATIONS
20   COMMISSION TO DETERMINE IF EITHER OF THE FEDERAL AGENCIES HAS
21   ISSUED A FINAL ORDER OR ENTERED INTO A SETTLEMENT OR CONSENT

1   DECREE REGARDING ANY APPLICANT SEEKING BROADBAND DEPLOYMENT
2   GRANT MONEY FROM THE BOARD OR A PROVIDER TO WHICH THE BOARD
3   HAS AWARDED BROADBAND DEPLOYMENT GRANT MONEY. THE BOARD
4   SHALL REVIEW ANY SUCH ORDER OR DECREE TO DETERMINE IF THE
5   PROVIDER THAT IS THE SUBJECT OF THE ORDER OR DECREE HAS ENGAGED
6   IN CONDUCT THAT CONSTITUTES ENGAGING IN ONE OF THE PRACTICES
7   LISTED IN SECTION 40-15-209 (1)(a) TO (1)(d). THE BOARD SHALL DENY
8   THE APPLICATION OF ANY APPLICANT SUBJECT TO SUCH A FEDERAL ORDER
9   OR DECREE AND SHALL INFORM THE COMMISSION PURSUANT TO SECTION
10 40-15-209 (2)(a) ABOUT ANY PROVIDER AWARDED BROADBAND
11 DEPLOYMENT GRANT MONEY THAT IS SUBJECT TO SUCH AN ORDER OR
12 DECREE.".

13 Renumber succeeding sections accordingly.

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