

HOUSE COMMITTEE OF REFERENCE REPORT

February 12, 2020

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Chair of Committee

Date

Committee on Business Affairs & Labor.

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

HB20-1137 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, strike lines 7 through 10 and substitute  
2 "~~government, municipal, government, school district, or board of~~  
3 ~~cooperative educational services in an unserved area~~ OR CITY AND  
4 COUNTY GOVERNMENT."

5 Page 2, line 15, after "**definitions** -" insert "**rules** -".

6 Page 3, strike lines 7 through 23 and substitute:

7 "(II) To prove that the area to be served is an unserved area, the  
8 applicant:

9 (A) Must submit a map and a list of household addresses  
10 demonstrating the insufficient availability of broadband service in the  
11 area ~~The applicant must submit the application, map, and list of~~  
12 ~~household addresses~~ to the board; the board of county commissioners,  
13 city council, or other local entity with authority over the area to be served;  
14 and all incumbent providers or incumbent broadband providers that  
15 provide broadband internet service or broadband service in the area  
16 proposed to be served in the application; AND

17 (B) MAY SUBMIT TO THE BOARD THE WRITTEN CERTIFICATION OF  
18 A LOCAL ENTITY AS DESCRIBED IN SUBSECTION (8)(a)(III) OF THIS SECTION.

19 (III) AS ADDITIONAL EVIDENCE OF THE INSUFFICIENT  
20 AVAILABILITY OF BROADBAND SERVICE IN THE AREA THAT AN APPLICANT  
21 PROPOSES TO SERVE, THE APPLICANT MAY REQUEST FROM A LOCAL ENTITY

1 WITH JURISDICTION OVER THE AREA PROPOSED TO BE SERVED A WRITTEN  
2 CERTIFICATION THAT THE AREA IS AN UNSERVED AREA. THE LOCAL ENTITY  
3 SHALL NOT PROVIDE WRITTEN CERTIFICATION UNTIL AFTER THE LOCAL  
4 ENTITY HAS:".

5 Page 3, line 24, strike "NOTICE" and substitute "NOTICE, INCLUDING  
6 NOTIFICATION TO ANY INCUMBENT PROVIDER, IF ANY,".

7 Page 4, line 2, after the period add "A LOCAL ENTITY MUST COLLECT,  
8 SOLICIT, AND REVIEW QUANTITATIVE DATA IN ACCORDANCE WITH RULES  
9 ADOPTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
10 REGULATORY AGENCIES, IN CONSULTATION WITH THE OFFICE OF  
11 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103 AND THE  
12 BROADBAND DEPLOYMENT BOARD CREATED IN SECTION 40-15-509.5,  
13 REGARDING STANDARDS CONCERNING QUANTITATIVE DATA.".

14 Page 4, strike lines 4 through 6 and substitute "least sixty days within  
15 which ~~the~~ ANY INTERESTED PARTY, INCLUDING A local entity WITH  
16 JURISDICTION OVER THE AREA PROPOSED TO BE SERVED, WHETHER OR NOT  
17 THE ENTITY PROVIDED A WRITTEN CERTIFICATION AS DESCRIBED IN  
18 SUBSECTION (8)(a)(III) OF THIS SECTION, may review and comment on the  
19 application.".

20 Page 4, line 7, strike "(I)".

21 Page 4, strike lines 10 through 22 and substitute "CERTIFICATION ON THE  
22 ISSUE OF WHETHER THE AREA TO BE SERVED IS AN UNSERVED AREA.".

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