

SENATE BILL 790

C5

0lr3035
CF 0lr2262

By: **Senator Eckardt**

Introduced and read first time: February 3, 2020

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Information Technology – Communications Lines – Installation**

3 FOR the purpose of providing that certain provisions of law governing resource sharing do
4 not apply to certain entities that have certain rights of access for certain purposes
5 and facilities; requiring the Department of Information Technology to waive certain
6 fees for certain services performed in certain areas; and generally relating to
7 communications lines.

8 BY adding to

9 Article – State Finance and Procurement

10 Section 3A–307(d); and 3A–801 and 3A–802 to be under the new subtitle “Subtitle 8.
11 Broadband Communications”

12 Annotated Code of Maryland

13 (2015 Replacement Volume and 2019 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – State Finance and Procurement**

17 3A–307.

18 **(D) THIS SUBTITLE DOES NOT APPLY WITH RESPECT TO ANY PRIVATE**
19 **INDUSTRY ENTITY THAT HAS A SEPARATE LEGAL RIGHT OF ACCESS UNDER STATE**
20 **OR LOCAL LAW TO INSTALL COMMUNICATIONS LINES AND ASSOCIATED FACILITIES**
21 **IN THE STATE RIGHTS-OF-WAY, INCLUDING THE RIGHTS PROVIDED UNDER §§ 5–410**
22 **AND 8–103 OF THE PUBLIC UTILITIES ARTICLE AND § 1–708 OF THE LOCAL**
23 **GOVERNMENT ARTICLE.**

24 **SUBTITLE 8. BROADBAND COMMUNICATIONS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3A-801.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "LAST MILE" MEANS THE LOCAL INTERNET CONNECTION THAT
5 PHYSICALLY REACHES INTO THE END USER'S HOME, BUSINESS, OR PREMISES.

6 (C) "UNSERVED AREA" MEANS AN AREA IN WHICH NO FACILITIES-BASED
7 BROADBAND SERVICE PROVIDERS OFFER MINIMUM CONNECTIVITY SPEEDS OF 25
8 MEGABITS PER SECOND TO DOWNLOAD AND 3 MEGABITS PER SECOND TO UPLOAD.

9 **3A-802.**

10 THE DEPARTMENT SHALL WAIVE FEES APPLICABLE UNDER THE
11 DEPARTMENT'S RESOURCE SHARING AGREEMENT STANDARD PRICING FOR ALL
12 LAST MILE BROADBAND TELECOMMUNICATIONS PROJECTS IN UNSERVED AREAS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.