
SENATE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1080 by Representative Deshotel

1 AMENDMENT NO. 1

2 On page 1, line 3, change "2370.3(A) and (E)" to "2370.3"

3 AMENDMENT NO. 2

4 On page 1, line 5, delete "and to enact R.S. 51:2370.3(H) and (I)"

5 AMENDMENT NO. 3

6 On page 1, line 7, after "mapping;" and before "to provide" insert "to provide for privately
7 funded broadband deployment; to require performance bonds under certain circumstances;
8 to authorize objections by local governing authorities;"

9 AMENDMENT NO. 4

10 On page 2, line 4, change "2370.3(A) and (E)" to "2370.3"

11 AMENDMENT NO. 5

12 On page 2, line 7, delete "and R.S. 51:2370.3(H) and (I) are hereby enacted"

13 AMENDMENT NO. 6

14 On page 2, line 22, after "hundred" delete "Mbps" and insert "megabits per second" and after
15 "twenty" delete "Mbps" and insert "megabits per second"

16 AMENDMENT NO. 7

17 On page 2, line 29, after "service" and before "may" insert "using wireline technology"

18 AMENDMENT NO. 8

19 On page 3, delete lines 5 through 12 in their entirety and insert in lieu thereof the following:

20 "B.(1) A provider with firm plans to privately fund broadband deployment
21 within eighteen months may qualify the area for protection by submitting to the
22 office, within sixty days of the close of the application period, a listing of the census
23 blocks, shapefile areas, individual addresses, or portions thereof, comprising the
24 privately funded project areas meeting this requirement. A provider seeking to
25 qualify the area for protection pursuant to this Subsection shall also provide the
26 office with evidence of plans to deploy within eighteen months, which shall include
27 detailed project plans, schedules, detailed budgets, or executive affidavits. Providers
28 that block competitive bidding for GUMBO funding through credible evidence of
29 intent to build shall be required to sign a commitment with penalties for failure to
30 execute.

31 (2) A provider seeking to privately fund broadband deployment in accordance
32 with this Subsection is required to construct and provide deployable broadband
33 service within the eighteen-month period to at least eighty percent of the designated
34 locations.

1 (3)(a) The office shall require any provider seeking to privately fund
 2 broadband deployment in accordance with this Subsection to furnish a bond to
 3 guarantee the faithful performance of work.

4 (b) The performance bond required by this Paragraph shall be in an amount
 5 equal to the cost of construction and deployment.

6 (4) If a provider fails to perform as required by this Subsection and the
 7 performance bond is due, the provider shall be ineligible for any state-administered
 8 federal grant program designated for broadband development services.

9 (5)(a) A local governing authority may submit, in writing, to the office an
 10 objection to any provider that seeks to bid to deploy broadband services in the local
 11 governing authority's area if the provider has received a letter grade rating of "D" or
 12 "F" from the Better Business Bureau.

13 (b) At the request of the local governing authority that submits an objection
 14 in accordance with this Paragraph, a provider shall be ineligible to bid to deploy
 15 broadband services.

16 C. In future program years, the deadline for submitting the census blocks,
 17 shapefile areas, individual addresses, or portions thereof shall be established by the
 18 office, but shall not be less than sixty days prior to the beginning date of the
 19 application period. This will enable the office to update maps and advise applicants
 20 as to the unserved areas of the state that are ineligible for consideration in that
 21 program year.

22 ~~C. D.~~ The office shall only utilize the data to update maps of census blocks,
 23 shapefile areas, individual addresses, or portions thereof and to reflect the census
 24 blocks, shapefile areas, individual addresses, or portions thereof as being served.

25 ~~D. E.~~ In no instance shall an applicant be required to provide any data
 26 beyond that which it is required to provide to the Federal Communications
 27 Commission pursuant to The Broadband Deployment Accuracy and Technological
 28 Availability Act pursuant to 47 U.S.C. 641 et seq.

29 ~~E. F.~~ Failure on the part of a provider to submit the listing of census blocks,
 30 shapefile areas, individual addresses, or portions thereof by the deadline shall result
 31 in those areas being ineligible for exclusion under the GUMBO program during the
 32 upcoming program year. A provider using wireline technology that has facilities in
 33 the area or that intends to deploy broadband service within twenty-four months, as
 34 a result of receiving public funds specifically for broadband deployment or upon
 35 providing the office with evidence of firm plans to privately fund deployment, shall
 36 be able to protest ineligibility.

37 F. G. The office shall use the provided census blocks, shapefile areas,
 38 individual addresses, or portions thereof only for mapping of unserved areas.

39 ~~G. H.~~ Upon expiration of the twenty-four month reservation period described
 40 in Subsection ~~E F~~ of this Section, a provider that has received a reservation of census
 41 blocks, shapefile areas, individual addresses, or portions thereof shall submit written
 42 documentation by April thirtieth of the year following the program year that the
 43 initiation of activity related to broadband infrastructure will or has begun in the
 44 census blocks, shapefile areas, individual addresses, or portions thereof, that have
 45 been deemed ineligible by the office due to the existence of a federally funded
 46 project area."

47 AMENDMENT NO. 9

48 On page 3, line 13, change "H.(1)" to "I.(1)"

1 AMENDMENT NO. 10

2 On page 3, line 15, change "parish by parish" to "parish-by-parish"

3 AMENDMENT NO. 11

4 On page 4, delete lines 8 through 12

5 AMENDMENT NO. 12

6 On page 4, line 13, change "(5)" to "(4)"

7 AMENDMENT NO. 13

8 On page 4, line 17, change "(6)" to "(5)"

9 AMENDMENT NO. 14

10 On page 4, line 22, change "(7)" to "(6)"

11 AMENDMENT NO. 15

12 On page 4, line 26, change "I.(1)" to "J.(1)"

13 AMENDMENT NO. 16

14 On page 5, line 3, change "Subsection H" to "Subsection I"

15 AMENDMENT NO. 17

16 On page 5, line 10, change "Subsection H" to "Subsection I"

17 AMENDMENT NO. 18

18 On page 6, line 2, after "can," and before "in fact," insert "to the best of his knowledge"

19 AMENDMENT NO. 19

20 On page 6, line 11, change "unserved," to "unserved by a broadband service,"

21 AMENDMENT NO. 20

22 On page 7, line 17, change "seven" to "ten"