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**HOUSE COMMITTEE AMENDMENTS**

2023 Regular Session

Substitute for Original House Bill No. 602 by Representative Deshotel as proposed by the House Committee on Commerce

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To enact R.S. 45:1631, relative to broadband service; to allow the provision of broadband service; to allow broadband service providers use of certain state highway rights-of-way; to authorize the Department of Transportation and Development to grant use of certain state highway rights-of-way; to require safety and just compensation for the use of property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 45:1631 is hereby enacted to read as follows:

§1631. Broadband service; state highway rights-of-way

A. The Department of Transportation and Development may grant permission to a broadband service provider to use state highway rights-of-way to provide broadband services. The use of a state highway right-of-way for the provision of broadband services by a broadband service provider shall not be considered an additional burden on the property upon which the state highway right-of-way is located and shall not require the broadband service provider to obtain additional consent from any person having an interest in the property upon which the state highway right-of-way is located.

B. This Section shall not apply to servitudes, rights-of-way, or lands owned or controlled by an electric utility provider or a railroad corporation upon which active railroad transport operations are being conducted.

C. In the use of state highway rights-of-way, a broadband service provider shall ensure all of the following:

(1) That the safety, functioning, and appearance of the property and the convenience and safety of other persons is not adversely affected by the installation or construction of broadband infrastructure.

(2) That the owner of the property is justly compensated by the broadband service provider for any damages caused by the installation, construction, operation, or removal of broadband infrastructure by the broadband operator.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB Draft

2023 Regular Session

**Abstract:** Authorizes the use of state highway rights-of-way by broadband service providers.

Proposed law authorizes the La. Dept of Transportation and Development to grant to broadband service providers use of state highway rights-of-way.

Proposed law provides that such use shall not be considered an additional burden on the property and shall not require the broadband service provider to obtain additional consent from any person with an interest in the property.

Proposed law provides that proposed law does not apply to servitudes, rights-of-way, or lands owned or controlled by an electric utility provider or a railroad corporation.

Proposed law requires a broadband service provider to ensure that the safety, function, and appearance of the property is not adversely affected by the installation or construction of broadband infrastructure.

Proposed law also requires a broadband service provider to ensure that the owner of a property is justly compensated by the provider for any damages caused by the installation, construction, operation, or removal of broadband infrastructure.

(Adds R.S. 45:1631)