
SENATE FLOOR AMENDMENTS

2022 Regular Session

Amendments proposed by Senator Mizell to Reengrossed House Bill No. 1080 by Representative Deshotel

1 AMENDMENT NO. 1

2 In Senate Committee Amendment No. 8 proposed by the Senate Committee on Commerce,
3 Consumer Protection and International Affairs (3966) and adopted by the Senate on April
4 26, 2022, on page 1, line 26, change "eighteen" to "twenty"

5 AMENDMENT NO. 2

6 In Senate Committee Amendment No. 8 proposed by the Senate Committee on Commerce,
7 Consumer Protection and International Affairs (3966) and adopted by the Senate on April
8 26, 2022, on page 1, line 30, after "execute." add the following:

9 "The office may, at its discretion, grant an extension of the twenty month period
10 provided in this Paragraph."

11 AMENDMENT NO. 3

12 In Senate Committee Amendment No. 8 proposed by the Senate Committee on Commerce,
13 Consumer Protection and International Affairs (3966) and adopted by the Senate on April
14 26, 2022, on page 1, line 33, change "eighteen-months" to "twenty-months"

15 AMENDMENT NO. 4

16 In Senate Committee Amendment No. 8 proposed by the Senate Committee on Commerce,
17 Consumer Protection and International Affairs (3966) and adopted by the Senate on April
18 26, 2022, on page 1, line 34, after "locations" change the period "₂" to a comma "₂" and add
19 the following:

20 "however, the office may, at its discretion, grant an extension to this twenty month
21 period."

22 AMENDMENT NO. 5

23 On page 1, delete line 5 in its entirety and insert in lieu thereof the following:

24 "2370.13, and 2370.16, to enact R.S. 51:2370.10(D), and to repeal R.S.
25 51:2370.4(C)(2), relative to broadband;"

26 AMENDMENT NO. 6

27 On page 2, line 7, after "reenacted" insert the following:

28 "and R.S. 51:2370.10(D) is hereby enacted all"

29 AMENDMENT NO. 7

30 On page 3, line 4, after "office." add the following:

31 "Any location or area of the state, subject to a Rural Digital Opportunity Fund
32 Award, in which the provider receiving the award has proposed to provide broadband
33 internet access service through a technology other than a wireline technology, may
34 be eligible for the GUMBO grant program."

1 AMENDMENT NO. 8

2 On page 4, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

3 "access service of less than one hundred megabits per second for download and
4 twenty megabits per second for upload."

5 AMENDMENT NO. 9

6 On page 4, delete lines 8 through 12 in their entirety.

7 AMENDMENT NO. 10

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

9 AMENDMENT NO. 11

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

11 AMENDMENT NO. 12

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

13 AMENDMENT NO. 13

14 On page 5, line 24, change "may" to "shall"

15 AMENDMENT NO. 14

16 On page 5, line 25, change "shall" to "may"

17 AMENDMENT NO. 15

18 On page 6, delete lines 8 through 10 and insert in lieu thereof the following:

19 "days prior to award. During the sixty-day period, any interested party may submit
20 comments to the director concerning any pending application. Any Following the
21 announcement of awards, any aggrieved person party may submit a protest of any
22 application or award in accordance with R.S."

23 AMENDMENT NO. 16

24 On page 6, at the end of line 14, change "application" to "award"

25 AMENDMENT NO. 17

26 On page 6, line 17, change "application" to "award"

27 AMENDMENT NO. 18

28 On page 6, at the end of line 21, change "applications" to "awards"

29 AMENDMENT NO. 19

30 On page 6, delete line 23 in its entirety and insert in lieu thereof the following:

31 "at least within fifteen days prior to the approval of the application after receipt of
32 a protest. Following a protest that"

1 AMENDMENT NO. 20

2 On page 6, line 24, change "application" to "award"

3 AMENDMENT NO. 21

4 On page 7, between lines 1 and 2, insert the following:

5 "A(1). An aggrieved party may submit a protest of an award in accordance
6 with this Section. Protests shall be submitted in writing, accompanied by all
7 supporting documentation, and shall be considered by the office in connection with
8 the review of the application and award. Any provider submitting a protest shall
9 attest that the information in the protest is accurate and that the protest is submitted
10 in good faith. The office may deny any protest or application that contains inaccurate
11 information."

12 AMENDMENT NO. 22

13 On page 7, line 2, change "A." to "(2)"

14 AMENDMENT NO. 23

15 On page 7, line 5, change "application." to "award." and before "This" insert the following:

16 "An aggrieved party may also submit a protest of eligibility of an application only
17 if the aggrieved party has facilities in the area or intends to deploy broadband
18 services within the next twenty-four months, as a result of receiving public funds
19 specifically for broadband deployment or if the aggrieved party is seeking to
20 privately fund broadband deployment in accordance with R.S. 51:2370.3."

21 AMENDMENT NO. 24

22 On page 7, between lines 6 and 7, insert the following:

23 "(3) If the basis of the protest of an award is that an application proposes to
24 serve an area that is already served, the office may utilize speed tests that conform
25 to the methodology employed in the Federal Communications Commission's
26 "Measuring Broadband America" report to determine if the protested area or
27 individual households or businesses currently have access to broadband service as
28 defined in this Part. All decisions regarding the speed test to be utilized and the
29 manner by which the speed tests are applied shall be made by the director or his
30 designee."

31 AMENDMENT NO. 25

32 On page 8, line 2, after "whether" delete the remainder of the line and insert in lieu thereof
33 the following:

34 "an award of a grant is"

35 AMENDMENT NO. 26

36 On page 8, delete lines 10 through 12 in their entirety and insert in lieu thereof the following:

37 "state. If a court has found in a final and definitive judgement, an applicant or
38 protestor has incorrectly designated a location as served or unserved the office of
39 broadband may assess a fine of up to one-thousand dollars per incorrectly designated
40 location identified in the GUMBO award process and disputed in litigation."

1 AMENDMENT NO. 27

2 On page 9, between lines 2 and 3, insert the following:

3 "§2370.10. Failure to perform
4 * * *

5 D. Notwithstanding the provisions of this Section to the contrary, if a grant
6 recipient fails to complete a project, the grant recipient shall reimburse the state the
7 actual cost to finish the project."

8 AMENDMENT NO. 28

9 On page 9, below line 19, add the following:

10 "Section 3. R.S. 51:2370.4(C)(2) is hereby repealed."