

ACT No. 632

2024 Regular Session

HOUSE BILL NO. 700

BY REPRESENTATIVES DESHOTEL, BRYANT, CARRIER, FISHER, HEBERT,
TRAVIS JOHNSON, KNOX, LACOMBE, LAFLEUR, LARVADAIN,
MARCELLE, MENA, OWEN, SELDERS, ST. BLANC, TAYLOR, AND
THOMPSON

1 AN ACT

2 To amend and reenact R.S. 51:1363.1(E) and 2370.32 and to enact R.S. 51:1363.1(F),
3 2370.17, 2370.18, 2370.33(E), 2370.34, and 2370.35, Subpart C of Part VI-C of
4 Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised
5 of R.S. 51:2370.41, and Subpart D of Part VI-C of Chapter 39 of Title 51 of the
6 Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2370.51, relative to
7 broadband; to provide for a grant program by the office of broadband to prevent
8 utility damage; to provide for a public records exemption; to provide for liability; to
9 provide for obligations; to provide for reporting requirements; to provide for
10 coordination with parishes and municipalities; to allow a local government to
11 establish a fee; to provide for reimbursement for grantees; to provide for failure to
12 perform protocols; to provide for the "Granting Unserved Municipalities Broadband
13 Opportunities 3.0" program; to provide for the "Granting Unserved Municipalities
14 Broadband Opportunities 4.0" program; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 51:1363.1(E) and 2370.32 are hereby amended and reenacted and
17 R.S. 51:1363.1(F), 2370.17, 2370.18, 2370.33(E), 2370.34, and 2370.35, Subpart C of Part
18 VI-C of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S.
19 51:2370.41, and Subpart D of Part VI-C of Chapter 39 of Title 51 of the Louisiana Revised

1 Statutes of 1950, comprised of R.S. 51:2370.51, are hereby enacted to read as follows:

2 §1363.1. Mapping areas for broadband service

3 * * *

4 E.(1) The office may create a grant program and promulgate rules to prevent
5 damage to existing utilities and ensure proper documentation of utilities associated
6 with the grant program. After review by the House Committee on Commerce and
7 the Senate Committee on Commerce, Consumer Protection and International Affairs,
8 the Joint Legislative Committee on the Budget shall review and approve the rules
9 and regulations before implementation.

10 (2) Data collected or provided in accordance with this Subsection on
11 infrastructure owned, operated, leased, or otherwise used by an internet service
12 provider or telecommunications provider, or its affiliates or subsidiaries, shall be
13 confidential and exempt from the Public Records Law, R.S. 44:4.1 et seq., and
14 exempt from disclosure under any other provision of law.

15 (3) No GUMBO 2.0 applicant or grantee shall be liable for damages or
16 required to pay any penalty to any person or governmental entity for an act or
17 omission of a local government, utility system, or the office related to or arising from
18 the collection of data pursuant to this Subsection.

19 (4) Nothing in this Subsection shall be construed to relieve any person or
20 operator of a public or private underground facility or utility of its obligations under
21 the Louisiana Underground Utilities and Facilities Damage Prevention Law, R.S.
22 40:1749.11 et seq.

23 F. The office shall not hire more than one additional full-time employee to
24 carry out the provisions of the Section.

25 * * *

26 §2370.17. Reporting requirements

27 A. Beginning August 1, 2024, any GUMBO 1.0 grantee shall report all
28 instances of known damage to existing underground utilities that occur during the
29 construction or installation of broadband infrastructure funded by GUMBO 1.0.

1 **(b) The office shall not approve any default that covers more than five**
 2 **percent of the unserved or underserved locations subject to the deployment**
 3 **obligation.**

4 **§2370.34. Reporting requirements**

5 **A. Any GUMBO 2.0 grantee shall report all instances of known damage to**
 6 **existing underground utilities that occur during the construction or installation of**
 7 **broadband infrastructure funded by GUMBO 2.0.**

8 **B. Reports shall be submitted to the office in a monthly report, once**
 9 **construction has begun.**

10 **C. The report shall include all of the following:**

- 11 **(1) The date and location of the incident.**
- 12 **(2) A description of the damage caused.**
- 13 **(3) Steps taken to address the damage.**

14 **D. Failure to report such incidents may result in the suspension of GUMBO**
 15 **2.0 funding.**

16 **§2370.35. Coordination with parishes and municipalities**

17 **A. Broadband providers receiving funding through the GUMBO 2.0 program**
 18 **shall provide a thirty-day advanced written notice prior to the commencement of**
 19 **GUMBO 2.0 construction activities to the relevant parish or municipality. Nothing**
 20 **in this Section relieves the GUMBO 2.0 grantee of its obligations to comply with**
 21 **local regulations and ordinances.**

22 **B. The relevant local governmental subdivision may do either of the**
 23 **following:**

24 **(1) Require a one-time GUMBO 2.0 grant assessment for construction and**
 25 **installation of GUMBO 2.0 grant-funded broadband facilities and may charge a**
 26 **corresponding one-time GUMBO 2.0 grant assessment fee not to exceed one**
 27 **thousand dollars.**

28 **(2) Require a permit for construction and installation of GUMBO 2.0 grant-**
 29 **funded broadband facilities, and may charge a corresponding one-time permit fee not**
 30 **to exceed one thousand dollars.**

1 Section 2. The funds for GUMBO 2.0 outlined in Subsection E of R.S. 51:2370.33
2 as enacted by Section 1 of this Act are to be obligated by and spent within the maximum
3 timelines allowed by NTIA.

4 Section 3. The funds for GUMBO 3.0 outlined in R.S. 51:2370.41 as enacted by
5 Section 1 of this Act are to be obligated by December 12, 2024 and to be spent by December
6 31, 2028.

7 Section 4. The funds for GUMBO 4.0 outlined in R.S. 51:2370.51 as enacted by
8 Section 1 of this Act are to be spent by March 1, 2029.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____