SENATE BILL 790

By: Senator Eckardt
Introduced and read first time: February 3, 2020
Assigned to: Finance

A BILL ENTITLED

AN ACT concerning

Information Technology – Communications Lines – Installation

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

BY adding to

Article – State Finance and Procurement
Section 3A–307(d); and 3A–801 and 3A–802 to be under the new subtitle “Subtitle 8. Broadband Communications”
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

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

Article – State Finance and Procurement


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

SUBTITLE 8. BROADBAND COMMUNICATIONS.
3A–801.

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

(B) “LAST MILE” MEANS THE LOCAL INTERNET CONNECTION THAT PHYSICALLY REACHES INTO THE END USER’S HOME, BUSINESS, OR PREMISES.

(C) “UNSERVED AREA” MEANS AN AREA IN WHICH NO FACILITIES–BASED BROADBAND SERVICE PROVIDERS OFFER MINIMUM CONNECTIVITY SPEEDS OF 25 MEGABITS PER SECOND TO DOWNLOAD AND 3 MEGABITS PER SECOND TO UPLOAD.

3A–802.

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

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