

HOUSE BILL 1037

C5, S1

6lr1904
CF SB 605

By: **Delegates Foley, Acevero, Ebersole, Fair, Fennell, Kerr, Lehman, Martinez, Palakovich Carr, Patterson, Ruth, Spiegel, Stewart, Turner, Vogel, and Wims**

Introduced and read first time: February 9, 2026
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 9, 2026

CHAPTER _____

1 AN ACT concerning

2 **Public Service Commission – Broadband and Voice Over Internet Protocol**
3 **Service – ~~Oversight Study~~**
4 **~~(Broadband Accountability and Affordability Act)~~**

5 FOR the purpose of ~~authorizing~~ requiring the Public Service Commission to ~~exercise certain~~
6 ~~oversight of broadband service and voice over Internet protocol service; requiring the~~
7 ~~Commission to assess the adequacy of certain plans for each Internet service~~
8 ~~provider; authorizing the Commission to conduct certain evaluations or audits and~~
9 ~~require certain remedial action under certain circumstances; repealing provisions of~~
10 ~~law prohibiting the Commission from regulating voice over Internet protocol service;~~
11 conduct a study and make recommendations on the potential scope, structure, and
12 implementation of Commission oversight of broadband service and voice over
13 Internet protocol service; and generally relating to broadband service and voice over
14 Internet protocol service.

15 ~~BY adding to~~
16 ~~Article – Public Utilities~~
17 ~~Section 5-107~~
18 ~~Annotated Code of Maryland~~
19 ~~(2025 Replacement Volume and 2025 Supplement)~~

20 ~~BY repealing~~
21 ~~Article – Public Utilities~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~Section 8-601 and 8-602 and the subtitle “Subtitle 6. Voice over Internet Protocol Service”~~
~~Annotated Code of Maryland~~
~~(2025 Replacement Volume and 2025 Supplement)~~

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

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Broadband service” means a mass-market retail service that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of communications services provided by an Internet service provider.

(ii) “Broadband service” does not include dial-up Internet service.

(3) “Internet service provider” means an entity that provides broadband service to a customer in the State through any of the following modes:

(i) wireline;

(ii) fixed wireless;

(iii) mobile wireless; or

(iv) satellite.

(4) (i) “Voice over Internet protocol service” or “VoIP service” means any service that:

1. enables real-time two-way voice communications that originate from or terminate to the subscriber end user’s location requiring Internet protocol or any successor protocol to Internet protocol; and

2. requires a broadband connection from the user’s location.

(ii) “Voice over Internet protocol service” or “VoIP service” includes any service that allows users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(b) The Public Service Commission shall conduct a study and make recommendations regarding the potential scope, structure, and implementation of Commission oversight of broadband service and VoIP service in the State, including considering:

~~1 DATA FROM ALL OR SUBSTANTIALLY ALL INTERNET ENDPOINTS, INCLUDING ANY~~
~~2 CAPABILITIES THAT ARE INCIDENTAL TO AND ENABLE THE OPERATION OF~~
~~3 COMMUNICATIONS SERVICES PROVIDED BY A WIRELINE, FIXED WIRELESS, MOBILE~~
~~4 WIRELESS BROADBAND, OR SATELLITE SERVICE PROVIDER.~~

~~5 (H) "BROADBAND SERVICE" DOES NOT INCLUDE DIAL UP~~
~~6 INTERNET SERVICE.~~

~~7 (3) "INTERNET SERVICE PROVIDER" MEANS AN ENTITY THAT~~
~~8 PROVIDES BROADBAND SERVICE TO A CUSTOMER IN THE STATE.~~

~~9 (4) (I) "VOICE OVER INTERNET PROTOCOL SERVICE" OR "VOIP~~
~~10 SERVICE" MEANS ANY SERVICE THAT:~~

~~11 1. ENABLES REAL TIME TWO WAY VOICE~~
~~12 COMMUNICATIONS THAT ORIGINATE FROM OR TERMINATE TO THE SUBSCRIBER END~~
~~13 USER'S LOCATION REQUIRING INTERNET PROTOCOL OR ANY SUCCESSOR PROTOCOL~~
~~14 TO INTERNET PROTOCOL; AND~~

~~15 2. REQUIRES A BROADBAND CONNECTION FROM THE~~
~~16 USER'S LOCATION.~~

~~17 (H) "VOICE OVER INTERNET PROTOCOL SERVICE" OR "VOIP~~
~~18 SERVICE" INCLUDES ANY SERVICE THAT ALLOWS USERS GENERALLY TO RECEIVE~~
~~19 CALLS THAT ORIGINATE ON THE PUBLIC SWITCHED TELEPHONE NETWORK AND TO~~
~~20 TERMINATE CALLS TO THE PUBLIC SWITCHED TELEPHONE NETWORK.~~

~~21 (B) THE COMMISSION MAY EXERCISE OVERSIGHT OF BROADBAND SERVICE~~
~~22 AND VOIP SERVICE.~~

~~23 (C) THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT~~
~~24 EFFECTIVE OVERSIGHT OF THE QUALITY, RELIABILITY, AND RESILIENCE OF~~
~~25 BROADBAND SERVICE AND VOIP SERVICE, INCLUDING:~~

~~26 (1) ESTABLISHING STANDARDS TO ENSURE THE RESILIENCE AND~~
~~27 RELIABILITY OF BROADBAND INFRASTRUCTURE;~~

~~28 (2) REQUIRING EACH INTERNET SERVICE PROVIDER TO:~~

~~29 (I) SUBMIT INFORMATION RELATING TO NETWORK~~
~~30 RELIABILITY, INCLUDING REPORTING OUTAGES;~~

1 ~~(H) MAINTAIN NETWORKS SUFFICIENTLY IN ORDER TO ENSURE~~
2 ~~RELIABLE, SAFE, AND ADEQUATE SERVICES;~~

3 ~~(HH) REPORT DATA ON THE AVAILABILITY, DEPLOYMENT,~~
4 ~~PRICING, AND ADOPTION OF BROADBAND SERVICES AND VOIP SERVICES; AND~~

5 ~~(IV) SUBMIT TO THE COMMISSION THE PROVIDER'S PLANS FOR~~
6 ~~EMERGENCY PREPAREDNESS AND POSTEMERGENCY NETWORK RESTORATION;~~

7 ~~(3) ESTABLISHING A SYSTEM FOR ASSESSING THE ADEQUACY OF~~
8 ~~INTERNET SERVICE PROVIDERS' PLANS FOR EMERGENCY PREPAREDNESS AND~~
9 ~~POSTEMERGENCY NETWORK RESTORATION; AND~~

10 ~~(4) ESTABLISHING MINIMUM REQUIREMENTS FOR BACKUP POWER~~
11 ~~GENERATION.~~

12 ~~(D) THE COMMISSION SHALL ASSESS THE ADEQUACY OF EACH INTERNET~~
13 ~~SERVICE PROVIDER'S PLAN FOR EMERGENCY PREPAREDNESS AND~~
14 ~~POSTEMERGENCY NETWORK RESTORATION IN ACCORDANCE WITH REGULATIONS~~
15 ~~ADOPTED UNDER THIS SECTION.~~

16 ~~(E) (1) ON RECEIPT OF A COMPLAINT FROM A CUSTOMER OR BASED ON~~
17 ~~DATA COLLECTED FROM PROVIDERS, THE COMMISSION MAY CONDUCT AN~~
18 ~~EVALUATION OR AUDIT OF AN INTERNET SERVICE PROVIDER'S FACILITIES AND~~
19 ~~INFRASTRUCTURE TO ASSESS SERVICE QUALITY, PUBLIC SAFETY CONCERNS, OR~~
20 ~~NETWORK RESILIENCE.~~

21 ~~(2) THE COMMISSION MAY HOLD A HEARING AS PART OF THE~~
22 ~~EVALUATION OR AUDIT AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

23 ~~(3) IF THE COMMISSION DETERMINES THAT THE PRACTICES,~~
24 ~~FACILITIES, OR SERVICES OF AN INTERNET SERVICE PROVIDER ARE UNJUST,~~
25 ~~UNREASONABLE, UNSAFE, IMPROPER, OR INADEQUATE TO ENSURE NETWORK~~
26 ~~RELIABILITY, RESILIENCE, AND PUBLIC SAFETY IN ACCORDANCE WITH THE~~
27 ~~STANDARDS ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION, THE~~
28 ~~COMMISSION MAY REQUIRE THE PROVIDER TO UNDERTAKE REMEDIAL ACTIONS.~~

29 ~~(F) ON OR BEFORE JANUARY 1, 2028, AND EACH JANUARY 1 THEREAFTER,~~
30 ~~THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE~~
31 ~~WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON PROGRESS MADE~~
32 ~~TOWARD IMPROVING SERVICE QUALITY, PUBLIC SAFETY, AND NETWORK~~
33 ~~RESILIENCE.~~

~~(6) (1) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT ANY RIGHT OR AUTHORITY GRANTED TO THE OFFICE OF STATEWIDE BROADBAND UNDER TITLE 6.5 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.~~

~~(2) THE COMMISSION MAY COORDINATE WITH THE OFFICE OF STATEWIDE BROADBAND WHEN COLLECTING DATA TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

~~[Subtitle 6. Voice over Internet Protocol Service.]~~

~~§ 601.~~

~~In this subtitle:~~

~~(1) “voice over Internet protocol service” or “VoIP service” means any service that:~~

~~(i) enables real-time two-way voice communications that originate from or terminate to the subscriber end user’s location requiring Internet protocol or any successor protocol to Internet protocol; and~~

~~(ii) requires a broadband connection from the user’s location; and~~

~~(2) “voice over Internet protocol service” or “VoIP service” includes any such service that permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.]~~

~~§ 602.~~

~~(a) The Commission does not have jurisdiction over the regulation of VoIP service, including the imposition of regulatory fees, certification requirements, and the filing or approval of tariffs.~~

~~(b) Nothing in this subtitle may be construed to:~~

~~(1) require or prohibit the assessment of 9-1-1 fees in accordance with § 1-310 of the Public Safety Article on VoIP;~~

~~(2) require or prohibit the assessment of fees for telecommunications relay service under Title 3, Subtitle 8 of the State Finance and Procurement Article;~~

~~(3) require or prohibit the payment of any switched network access rates or other intercarrier compensation rates that may be determined to apply;~~

1 ~~(4) relieve a company that is otherwise subject to § 8-201 of this title of its~~
2 ~~obligation to provide telephone lifeline service over local exchange access lines that are~~
3 ~~subject to the Commission's jurisdiction;~~

4 ~~(5) exempt VoIP service from generally applicable State and federal laws~~
5 ~~relating to public safety, consumer protection, and unfair and deceptive trade practices, or~~
6 ~~to exempt VoIP service from the authority of the Division of Consumer Protection in the~~
7 ~~Office of the Attorney General; or~~

8 ~~(6) remove the Commission's jurisdiction over circuit-switched local~~
9 ~~exchange access service.~~

10 ~~(e) A company that moves a customer from a Commission-approved tariff service~~
11 ~~to VoIP service shall notify the customer that the Commission does not have jurisdiction~~
12 ~~over the regulation of VoIP service and that complaints about VoIP service may be filed~~
13 ~~with the Division of Consumer Protection in the Office of the Attorney General.]~~

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 ~~October~~ July 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.