

# SENATE BILL 571

C9, I4, P1

6lr0923  
CF HB 382

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By: **Senator Ellis**

Introduced and read first time: February 4, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Broadband Access – Low-Income Consumer Programs**  
3 **(Maryland Broadband Opportunity and Fairness Act)**

4 FOR the purpose of requiring certain broadband providers in the State to establish a  
5 program to provide certain broadband services to eligible low-income consumers on  
6 or before a certain date; authorizing the Office of Statewide Broadband in the  
7 Department of Housing and Community Development to exempt certain providers  
8 from the requirement to establish a program; altering the duties of the Office;  
9 establishing a Broadband Affordability Advisory Board; and generally relating to  
10 broadband access for low-income consumers.

11 BY repealing and reenacting, with amendments,  
12 Article – Commercial Law  
13 Section 13–301(14)(xlvii)  
14 Annotated Code of Maryland  
15 (2025 Replacement Volume)

16 BY repealing and reenacting, without amendments,  
17 Article – Commercial Law  
18 Section 13–301(14)(xlviii)  
19 Annotated Code of Maryland  
20 (2025 Replacement Volume)

21 BY adding to  
22 Article – Commercial Law  
23 Section 13–301(14)(xlix); and 14–5101 through 14–5106 to be under the new subtitle  
24 “Subtitle 51. Maryland Broadband Opportunity and Fairness”  
25 Annotated Code of Maryland  
26 (2025 Replacement Volume)

27 BY repealing and reenacting, without amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Housing and Community Development  
Section 6.5–101  
Annotated Code of Maryland  
(2019 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 6.5–104(a)(1), (2), (4), and (5) and (e)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2025 Supplement)

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

**Article – Commercial Law**

13–301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlvii) Title 14, Subtitle 50 of this article; [or]

(xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

**(XLIX) TITLE 14, SUBTITLE 51 OF THIS ARTICLE; OR**

**SUBTITLE 51. MARYLAND BROADBAND OPPORTUNITY AND FAIRNESS.**

**14–5101.**

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

**(B) (1) “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 A WIRELINE, FIXED WIRELESS, MOBILE WIRELESS BROADBAND, OR SATELLITE SERVICE PROVIDER.**

**(2) “BROADBAND SERVICE” DOES NOT INCLUDE DIAL–UP SERVICE.**

(C) "LOW-INCOME CONSUMER" MEANS AN INDIVIDUAL WHOSE HOUSEHOLD OR AT LEAST ONE MEMBER OF THE HOUSEHOLD:

(1) MEETS THE ELIGIBILITY CRITERIA FOR:

(I) FREE AND REDUCED PRICE MEAL PROGRAMS ESTABLISHED BY THE U.S. DEPARTMENT OF AGRICULTURE;

(II) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; OR

(III) MEDICAID BENEFITS;

(2) IN THE PRIOR TAXABLE YEAR, MET THE ELIGIBILITY CRITERIA FOR:

(I) THE MARYLAND EARNED INCOME TAX CREDIT; OR

(II) THE CREDIT FOR THE ELDERLY AND THE PERMANENTLY AND TOTALLY DISABLED UNDER 26 U.S.C. § 22;

(3) RECEIVES A BENEFIT THROUGH A LOW-INCOME ENERGY ASSISTANCE PROGRAM; OR

(4) HAS AN ANNUAL HOUSEHOLD INCOME AT OR BELOW 350% OF THE FEDERAL POVERTY GUIDELINES.

(D) "OFFICE" MEANS THE OFFICE OF STATEWIDE BROADBAND IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(E) "PROGRAM" MEANS A LOW-INCOME CONSUMER PROGRAM.

(F) "PROVIDER" MEANS A PERSON THAT PROVIDES BROADBAND SERVICE TO 10,000 OR MORE CUSTOMERS.

14-5102.

(A) ON OR BEFORE DECEMBER 1, 2026, EACH PROVIDER IN THE STATE SHALL ESTABLISH A LOW-INCOME CONSUMER PROGRAM.

(B) (1) (I) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PROGRAM SHALL OFFER AT LEAST ONE LOW-COST BROADBAND SERVICE OPTION TO ELIGIBLE LOW-INCOME CONSUMERS INCLUDING:

1                   1.     A MINIMUM BROADBAND SPEED OF:

2                   A.     100 MEGABITS PER SECOND DOWNLOAD SPEED AND  
3     20 MEGABITS PER SECOND UPLOAD SPEED FOR A HOUSEHOLD OF TWO OR LESS; OR

4                   B.     200 MEGABITS PER SECOND DOWNLOAD SPEED AND  
5     20 MEGABITS PER SECOND UPLOAD SPEED FOR A HOUSEHOLD OF THREE OR MORE;

6                   2.     AT LEAST 1.2 TERABYTES OF DATA STORAGE; AND

7                   3.     A LATENCY THAT IS SUFFICIENTLY LOW TO ALLOW  
8     REASONABLY FORESEEABLE, REAL-TIME, INTERACTIVE APPLICATIONS.

9                   (II)    NETWORK OUTAGES OF BROADBAND SERVICES OFFERED  
10    UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED, ON AVERAGE, 48  
11    HOURS WITHIN ANY YEAR.

12                  (2)    THE OFFICE MAY MODIFY THE DOWNLOAD AND UPLOAD SPEEDS  
13    REQUIRED IN PARAGRAPH (1)(I)1 OF THIS SUBSECTION FOR AREAS OF THE STATE  
14    IN WHICH SUCH SPEEDS ARE NOT REASONABLY PRACTICABLE.

15                  (3)    (I)   A PROVIDER MAY, ONCE EVERY 3 YEARS, INCREASE THE  
16    PRICE OF BROADBAND SERVICE PROVIDED UNDER THE PROVIDER'S PROGRAM BY  
17    THE LESSER OF:

18                       1.    THE MOST RECENT CHANGE IN THE CONSUMER  
19    PRICE INDEX FOR ALL URBAN CONSUMERS; OR

20                       2.    NOT MORE THAN 2% PER YEAR.

21                   (II)   A PROVIDER SHALL PROVIDE AT LEAST 30 DAYS' NOTICE OF  
22    A PRICE INCREASE AUTHORIZED UNDER THIS PARAGRAPH TO CONSUMERS  
23    CURRENTLY ENROLLED IN THE PROVIDER'S PROGRAM AND THE OFFICE BEFORE  
24    INCREASING THE PRICE.

25                  (C)    A PROVIDER MAY NOT REQUIRE ENROLLMENT IN AN AUTOMATIC  
26    PAYMENT PLAN AS A CRITERION FOR ELIGIBILITY IN A PROGRAM.

27                  (D)    A PROVIDER SHALL ALLOW CUSTOMERS ENROLLED IN THE PROVIDER'S  
28    PROGRAM TO PURCHASE STAND-ALONE BROADBAND SERVICE, OR BROADBAND  
29    SERVICE BUNDLED WITH CABLE TELEVISION OR PHONE SERVICE.

(E) ANY CONTRACT OR AGREEMENT FOR BROADBAND SERVICE OFFERED AS PART OF A PROGRAM SHALL INCLUDE THE SAME TERMS AND CONDITIONS, OTHER THAN PRICE AND BROADBAND SPEED, AS REGULARLY PRICED PLANS FOR SIMILAR SERVICES OFFERED BY THE PROVIDER.

(F) (1) A PROVIDER SHALL MAKE AVAILABLE TO THE PUBLIC IN A PROMINENT MANNER ON ITS WEBSITE ANYWHERE THAT A LIST OF AVAILABLE PLANS IS POSTED THE AVAILABILITY OF BROADBAND SERVICE FOR LOW-INCOME CONSUMERS AND ENROLLMENT PROCEDURES.

(2) A PROVIDER SHALL MAKE ALL COMMERCIALLY REASONABLE EFFORTS TO PROMOTE AND ADVERTISE THE AVAILABILITY OF BROADBAND SERVICE FOR LOW-INCOME CONSUMERS AND ENROLLMENT PROCEDURES ON THE PROVIDER'S WEBSITE AND IN ANY WRITTEN OR COMMERCIAL PROMOTIONAL OR ADVERTISING MATERIALS.

(3) ANY PROMOTION OR ADVERTISING REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL INCLUDE THE PROMINENT DISPLAY OF THE PROVIDER'S PROGRAM.

(G) FOR ANY PROGRAM THAT PROVIDES A LOW-COST BROADBAND SERVICE TO A CUSTOMER UNDER THIS SECTION THAT INVOLVES LAYING FIBER-OPTIC CABLES OR CONDUIT UNDERGROUND OR ALONG A ROADWAY, THE PROVIDER SHALL INCLUDE INTERSPERSED CONDUIT ACCESS POINTS AT REGULAR AND SHORT INTERVALS.

(H) IF A PROVIDER CAN NO LONGER PROVIDE A LOW-COST BROADBAND SERVICE OPTION TO A CUSTOMER UNDER THIS SECTION, THE PROVIDER SHALL SELL THE NETWORK CAPACITY AT A REASONABLE, WHOLESALE RATE ON A NONDISCRIMINATORY BASIS TO OTHER PROVIDERS.

14-5103.

THE OFFICE MAY EXEMPT A PROVIDER FROM THE REQUIREMENTS OF § 14-5102 OF THIS SUBTITLE IF:

(1) THE PROVIDER PROVIDES BROADBAND SERVICE TO FEWER THAN 20,000 HOUSEHOLDS; AND

(2) THE OFFICE DETERMINES THAT COMPLIANCE WOULD RESULT IN AN UNREASONABLE OR UNSUSTAINABLE FINANCIAL IMPACT ON THE PROVIDER.

14-5104.

1           **(A) ON OR BEFORE NOVEMBER 15, 2027, AND EACH NOVEMBER 15**  
2 **THEREAFTER, A PROVIDER IN THE STATE SHALL FILE WITH THE OFFICE A**  
3 **COMPLIANCE REPORT INCLUDING:**

4                   **(1) THE AVAILABILITY OF A LOW-INCOME CONSUMER PROGRAM;**

5                   **(2) THE NUMBER OF CONSUMERS ENROLLED IN THE PROGRAM;**

6                   **(3) THE PROCEDURES USED TO VERIFY THE ELIGIBILITY OF**  
7 **CUSTOMERS APPLYING FOR THE PROGRAM;**

8                   **(4) THE ADVERTISING AND MARKETING EFFORTS UNDERTAKEN TO**  
9 **ADVERTISE AND PROMOTE THE AVAILABILITY OF THE PROGRAM, INCLUDING**  
10 **SAMPLES OF ADVERTISING AND MARKETING MATERIALS;**

11                   **(5) ALL BROADBAND SERVICE PLANS OFFERED BY THE PROVIDER,**  
12 **INCLUDING PRICING AND BROADBAND SPEEDS; AND**

13                   **(6) ANY OTHER INFORMATION THE OFFICE CONSIDERS NECESSARY**  
14 **OR APPROPRIATE.**

15           **(B) ON OR BEFORE DECEMBER 1, 2029, AND AT LEAST EVERY 5 YEARS**  
16 **THEREAFTER, THE OFFICE SHALL:**

17                   **(1) DETERMINE WHETHER THE MINIMUM BROADBAND DOWNLOAD**  
18 **AND UPLOAD SPEEDS AND DATA STORAGE REQUIRED IN § 14-5102(B)(1) OF THIS**  
19 **SUBTITLE SHOULD BE INCREASED TO:**

20                           **(I) THE FEDERAL COMMUNICATIONS COMMISSION'S**  
21 **BENCHMARK FOR HIGH-SPEED FIXED BROADBAND DOWNLOAD AND UPLOAD**  
22 **SPEEDS; OR**

23                           **(II) COMMONLY AVAILABLE MOBILE BROADBAND DOWNLOAD**  
24 **AND UPLOAD SPEEDS, AND DATA STORAGE LIMITS IN THE STATE; AND**

25                   **(2) (I) EVALUATE THE ELIGIBILITY REQUIREMENTS FOR A**  
26 **LOW-INCOME CONSUMER; AND**

27                           **(II) INCLUDE IN THE REPORT REQUIRED UNDER § 6.5-104 OF**  
28 **THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE ANY RECOMMENDATIONS**  
29 **FOR CHANGES TO THE ELIGIBILITY REQUIREMENTS.**

1 14-5105.

2 (A) (1) THERE IS A BROADBAND AFFORDABILITY ADVISORY BOARD.

3 (2) THE PURPOSE OF THE ADVISORY BOARD IS, SUBJECT TO  
4 SUBSECTION (D) OF THIS SECTION, TO ESTABLISH A DEFINITION FOR A LOW-COST  
5 BROADBAND SERVICE OPTION AS REQUIRED BY 47 U.S.C. § 1702.

6 (B) THE ADVISORY BOARD CONSISTS OF THE FOLLOWING MEMBERS:

7 (1) THE DIRECTOR OF THE OFFICE, OR THE DIRECTOR'S DESIGNEE;

8 (2) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE  
9 PRESIDENT OF THE SENATE;

10 (3) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE  
11 SPEAKER OF THE HOUSE;

12 (4) ONE REPRESENTATIVE OF THE GOVERNOR'S OFFICE, APPOINTED  
13 BY THE GOVERNOR;

14 (5) ONE ATTORNEY FROM THE OFFICE OF THE ATTORNEY GENERAL  
15 WITH EXPERIENCE IN CONSUMER PROTECTION, APPOINTED BY THE ATTORNEY  
16 GENERAL;

17 (6) A REPRESENTATIVE FROM EACH PROVIDER IN THE STATE; AND

18 (7) REPRESENTATIVES FROM ANY STAKEHOLDER GROUPS  
19 APPROVED BY THE MEMBERS FROM THE EXECUTIVE AND LEGISLATIVE BRANCHES  
20 OF STATE GOVERNMENT.

21 (C) THE ADVISORY BOARD SHALL SUBMIT THE DEFINITION OF LOW-COST  
22 BROADBAND SERVICE OPTION TO THE OFFICE FOR SUBMITTAL TO THE NATIONAL  
23 TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FOR APPROVAL  
24 UNDER 47 U.S.C. § 1702.

25 (D) THE DEFINITION OF LOW-COST BROADBAND SERVICE OPTION SHALL:

26 (1) MEET THE REQUIREMENTS OF THIS SUBTITLE;

27 (2) MEET ANY REQUIREMENTS SET BY FEDERAL LAW; AND

**(3) MEET ANY REQUIREMENTS SET BY THE NATIONAL  
TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.**

**14–5106.**

**A VIOLATION OF THIS SUBTITLE IS AN UNFAIR, ABUSIVE, OR DECEPTIVE  
TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE AND IS  
SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE  
13 OF THIS ARTICLE.**

**Article – Housing and Community Development**

**6.5–101.**

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

(b) “Director” means the Director of the Office of Statewide Broadband.

(c) “Office” means the Office of Statewide Broadband.

**6.5–104.**

(a) The Office shall:

(1) develop definitions and standards for broadband Internet that:

(i) address current and future requirements and uses by  
communities, businesses, schools, health care providers, and other stakeholders;

(ii) reflect the need for a forward-looking, statewide digital  
communications infrastructure; [and]

(iii) **ARE CONSISTENT WITH TITLE 14, SUBTITLE 51 OF THE  
COMMERCIAL LAW ARTICLE; AND**

**(IV)** are not at odds with definitions and standards adopted by the  
Federal Communications Commission;

(2) (i) collect promotional and nonpromotional pricing data directly  
from broadband Internet providers, **INCLUDING DATA REQUIRED UNDER § 14–5104(A)  
OF THE COMMERCIAL LAW ARTICLE;** and

(ii) assess the actual upload and download speeds experienced by  
consumers;



(4) create a website that houses a publicly accessible map that allows users to overlay GIS heat mapping comments, based on and incorporating data and information from the Federal Communications Commission, that shows, in addition to any information provided by the Federal Communications Commission:

(i) which residences do and do not have access to broadband Internet;

(ii) broadband Internet service prices and plans available in different areas, **INCLUDING REDUCED RATE BROADBAND PLANS FOR LOW-INCOME CONSUMERS**; and

(iii) other available State geographic and demographic data;

(5) collect, analyze, and publicly share:

(i) geographic and demographic data regarding households that rely on mobile broadband for Internet service, based on the understanding that mobile broadband is not a substitute for in-home fixed Internet services;

(ii) data regarding the adoption and affordability of reliable broadband Internet in the State, including the average cost per average speed by county; [and]

(iii) data regarding investments in expanding Internet infrastructure, adoption, and speed increases; **AND**

**(IV) AVAILABLE BROADBAND PRODUCTS INCLUDING RETAIL RATE PLANS AND LOW-INCOME CONSUMER PLANS;**

(e) (1) On or before December 1, 2021, and each year thereafter, the Office shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on:

(i) the progress of the State's efforts to:

1. develop and implement the plan required under subsection (c) of this section;

2. increase access and connection to broadband Internet services throughout the State with specific reporting on improvements to infrastructure, adoption, and speeds;

3. improve digital literacy among residents of the State; and

1 4. increase speeds to meet or exceed the Federal  
2 Communications Commission standard for upload and download speeds;

3 (ii) the existing gaps in connectivity and the State's progress toward  
4 closing those gaps;

5 (iii) the impact that gaps in Internet service have on the workforce  
6 and State and local economies;

7 (iv) information from local education agencies on the impact of  
8 Internet service quality on student achievement and access to 21st century opportunities;

9 (v) demographic data on locations with gaps in services; and

10 (vi) the allocation of money from, and programs supported by, the  
11 Digital Inclusion Fund, the Digital Connectivity Fund, and the Rural Broadband  
12 Assistance Fund in the preceding fiscal year.

13 (2) The report required under paragraph (1) of this subsection shall:

14 **(I) MEET THE REQUIREMENTS OF § 14-5104(B)(2)(II) OF THE**  
15 **COMMERCIAL LAW ARTICLE; AND**

16 **(II)** be published on the website established under subsection (a)(4)  
17 of this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2026.