



## State Legislative Actions pertaining to Broadband Availability or Adoption prior to 2011

State	Statute	Description	Category
Alabama	<a href="#">Code of Ala. § 11-50B-1 et seq.</a>	Provides for ownership and/or operation of internet services by municipalities.	Government Ownership
California	<a href="#">Cal. Pub Util Code § 709.7</a>	Orders compliance with provision of broadband over telephone lines.	Compliance
California	<a href="#">Cal. Pub Util Code § 883</a>	Mandates that Public Utility Commission investigate the inclusion of high-speed communication and internet services in universal services.	Universal Services
Colorado	<a href="#">C.R.S. 29-27-103</a>	Prevents local governments from providing telecommunications services except in limited circumstances.	Limits on Municipality Ownership
Colorado	<a href="#">C.R.S. 29-27-201</a>	Requires referendum before local government can provide telecommunications services.	Limits on Municipality Ownership
Colorado	<a href="#">C.R.S. 29-27-202</a>	Allows local governments to provide service only if they request service from a provider and that provider does not respond within 60 days.	Limits on Municipality Ownership
Colorado	<a href="#">C.R.S. 29-27-101</a>	Declaration of intent to ensure consistent policy framework for telecommunication providers.	Policy Framework
Connecticut	<a href="#">Conn. Gen. Stat. § 12-412</a>	Exempts sales tax on items used to provide telecommunications, high-speed data transmission or broadband Internet services.	Taxation
Florida	<a href="#">Fla. Stat. § 350.81</a>	Allows a government entity to provide high-speed-Internet-access-service only after 2 separate public hearings. Any government entity providing communications services may not price the service below cost.	Limits on Municipality Ownership
Florida	<a href="#">Fla. Stat. § 212.08</a>	Exempts development projects sponsored by non-profit or government "eligible sponsors" to increase access to high-speed broadband capability for rural communities with enterprise zones from sales tax.	Taxation
Florida	<a href="#">Fla. Stat. § 220.183</a>	Provides income tax credits for any project designed to provide increased access to high-speed broadband capabilities which includes coverage of a rural enterprise zone.	Taxation
Florida	<a href="#">Fla. Stat. § 364.013</a>	Protects broadband services from local government regulation and specifically prohibits the regulation of Voice Over Internet Protocol.	Deregulation
Georgia	<a href="#">O.C.G.A. § 48-7-29.11</a>	Offers tax credit to both employees and employers who participate in telework programs. Effective July 1, 2007.	Taxation
Georgia	<a href="#">O.C.G.A. § 48-7-40.2 et. seq.</a>	Offers telecommunication companies a state tax credit for existing telecom infrastructure. Tax credits are one percent, three percent, or five percent depending on location.	Taxation
Hawaii	<a href="#">HRS § 235-110.51</a>	Offers tax credit to build or improve high-speed telecommunications.	Taxation
Idaho	<a href="#">Idaho Code § 63-3029I</a>	Offers income tax credit to service providers for investment in broadband equipment installed between January 1, 2001 and December 31, 2005.	Taxation
Illinois	<a href="#">220 ILCS 5/13-407</a>	Mandates monitoring of broadband deployment and utilization statistics. Sunsets 7/1/2007.	Assessment
Illinois	<a href="#">220 ILCS 5/13-301.3</a>	Creates special fund for the construction of high-speed data infrastructure in underserved areas. Sunsets 7/1/07.	Financing
Indiana	<a href="#">2006 Ind. ALS 27</a>	Establishes that the Indiana utility regulatory commission does not have jurisdiction over broadband services and relies on market forces to encourage innovation and investment.	Deregulation

Indiana	<a href="#">IC 8-1-2.6-1.3</a>	Establishes that broadband services are not subject to regulation by the Public Utilities Commission	Deregulation
Indiana	<a href="#">IC 8-1-33</a>	Provides for government financing to developers who build broadband infrastructure in underserved areas of Indiana.	Financing
Kentucky	<a href="#">KRS 278.5462</a>	Requires that "the provision of broadband shall be market-based and not subject to state administrative regulation...with respect to...(a) the availability of facilities or equipment used to provide broadband services; or (b) the rates, terms or conditions for, or entry into, the provision of broadband service."	Deregulation
Kentucky	<a href="#">KRS 224A.1121</a>	Establishes broadband deployment account to assist government and private sector entities to construct infrastructure for the deployment of broadband service to unserved areas.	Financing
Louisiana	<a href="#">La. R.S. 51:955:5</a>	Establishes the Broadband Infrastructure and Information Technology Fund to expand broadband services in Louisiana.	Financing
Louisiana	<a href="#">La. R.S. 45:844.43 et seq.</a>	Allows local governments to provide high-speed internet services only if a preliminary public hearing is held and if a required feasibility study is approved and demonstrates that the annual revenues will exceed the annual costs by at least enough to meet any bond obligations.	Limits on Municipality Ownership
Louisiana	<a href="#">La. R.S. 51:955.1-4</a>	Creates the Louisiana Broadband Advisory Council and tasks the council with providing strategic guidance for broadband deployment.	Coordination and Leadership
Maine	<a href="#">35-A M.R.S. § 9201 et seq.</a>	Creates the ConnectME Authority to stimulate investment in broadband infrastructure in unserved or underserved areas.	Coordination and Leadership
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Maryland	<a href="#">Md. Ann. Code art. 41 § 21-101 et seq.</a>	Establishes the Maryland Rural Broadband Coordination Board and tasks board with assisting to deploy broadband infrastructure in rural and underserved areas.	Financing
Maryland	<a href="#">Md. Ann. Code art. 83A § 5-1902</a>	Creates Rural Broadband Assistance Fund to assist with the establishment of broadband communication services in rural and underserved areas	Financing
Maryland	<a href="#">Md. TRANSPORTATION Code Ann. § 8-654</a>	Prohibits rights-of-way charges to non-profits for installation of broadband infrastructure in rural and underserved areas.	Rights-of-Way
Massachusetts	<a href="#">ALM GL ch. 40J § 6C</a>	Establishes the Wireless and Broadband Development Fund to finance the activities of the wireless and broadband development council.	Financing
Massachusetts	<a href="#">ALM GL ch. 23A, § 3</a>	Creates a division of wireless and broadband development within the MA office of business development (MODB). The director is responsible for creating a plan to ensure that services are deployed throughout the state.	Coordination and Leadership
Massachusetts	<a href="#">ALM GL ch. 40J, § 6B</a>	Establishes a wireless and broadband development council to foster the development of wireless internet, cellular and broadband infrastructure. The council is tasked with promoting access to high speed internet connectivity and telecommunications across the commonwealth, with a special interest in enhancing and increasing wireless internet, cellular and broadband coverage in underserved communities, to promote economic development, meet the commonwealth's homeland security and emergency preparedness needs, improve government efficiency, and improve residents' quality of life.	Coordination and Leadership

Michigan	<a href="#">MCLS § 125.1432</a>	Directs the State Housing Development Authority to conduct an annual review of all loans, financial instruments that require repayment, or lines of credit with the Michigan broadband development authority that analyzes of the number of authority-assisted or -financed developments and homes purchasing high-speed internet connections at substantially reduced rates as a direct result of loans from the Michigan broadband development authority.	Assessment
Michigan	<a href="#">MCLS § 484.3201 et seq.</a>	The MICHIGAN BROADBAND DEVELOPMENT AUTHORITY ACT creates the Michigan Broadband Development Authority and allows the authority to finance and partner with private sector entities with the goal of expanding broadband services.	Financing
Michigan	<a href="#">MCLS § 484.3114</a>	Public hearing must be held before a county or municipality can construct broadband facilities or provide them through another entities facilities. Municipality must prepare cost-benefit analysis and accounting records and cannot undercharge or limit right-of-way access to other service providers.	Limits on Municipality Ownership
Michigan	<a href="#">MCLS § 125.1657</a>	Allows the Downtown Development Authority to contract for broadband service and wireless technology service for the downtown districts of Michigan municipalities.	Government Ownership
Michigan	<a href="#">MCLS § 484.3101 et seq.</a>	Metropolitan Extension Telecommunication Right-of-Way Oversight Act (METRO) creates a telecommunication rights-of-way oversight authority to help standardize right-of-way access by evaluating and administering fees paid to municipalities. Service providers are required to include route maps indicating their location and other information in their application for a right-of-way permit. To fund the Authority, providers pay a one time \$500.00 administrative fee and are charged \$.05 per linear foot annually as a maintenance fee.	Rights-of-Way
Minnesota	<a href="#">Minnesota Statutes 237.76 et seq.</a>	Provides for alternative regulation for providers who commit to expanding broadband services over a period of not less than six years.	Alternative Regulation
Mississippi	<a href="#">Miss. Code Ann. § 57-87-1 et seq.</a>	The Mississippi Broadband Technology Development Act provides investment tax credits, ranging from 5% to 15% over ten years, and sales tax exemptions, ranging from 50% to 100%, with the greater credits going to those companies investing in the least populous regions of the state. The incentive package is available for investments made between June 30, 2003 and July 1, 2013. The tax credit can be used for nine consecutive years after the year in which it is earned. The bill also amends a section of the state code to allow the sale of equipment to telecommunications entities made during the eligible period and installed for use in broadband deployment be exempt from one half of the sales tax. For the same sale made for use in the most rural areas, the sales tax is waived.	Taxation
Missouri	<a href="#">77. § 135.535 R.S.Mo.</a>	Provides tax credits for the high-speed telecommunications equipment expenses of companies relocating to economically distressed areas.	Taxation
Montana	<a href="#">Mont. Code Anno., § 2-17-601 et seq.</a>	Prohibits government entities from providing internet services except in limited circumstances, such as where no private provider is willing to provide service. Also strongly encourages government entities to publish their internet service requirements and utilize the services of a private provider.	Limits on Municipality Ownership

Nebraska	<a href="#">R.R.S. Neb. § 86-594</a>	Prevents state agencies or political subdivisions other than public power supplier from providing broadband services. This prohibition end on December 31, 2007.	BPL
Nebraska	<a href="#">R.R.S. Neb. § 86-579</a>	Created the Nebraska Internet Enhancement Fund to provide financial assistance to install and deliver broadband or other advanced telecommunications infrastructure and service throughout the state.	Financing
Nebraska	<a href="#">R.R.S. Neb. § 86-580</a>	Directs the Public Service Commission to establish an application process for counties or municipalities to apply for financial assistance from the Nebraska Internet Enhancement Fund. The process shall allow the county or municipality to obtain a service provider for broadband or other advanced telecommunications services in an exchange or other area defined by the county or municipality where such telecommunications services are to be delivered at rates of service agreed upon between the service provider and county or municipality. Applicants must provide matching funds of at least twenty-five percent of the total projected cost.	Financing
Nebraska	<a href="#">R.R.S. Neb. § 86-599</a>	Creates the Broadband Services Task Force and directs the Task Force to study competition among providers; the implications of provision by government entities and public power suppliers; regulation and taxation issues; the current deployment of broadband services throughout the state; and the feasibility of utilizing the public power infrastructure to provide broadband services throughout the state.	Coordination and Leadership
Nevada	<a href="#">Nev. Rev. Stat. Ann. § 704.684</a>	Limits state regulation of broadband to determining rates charged by a public utility, addressing complaints, and collecting annual assessments.	Deregulation
New Hampshire	<a href="#">RSA § 38:38 et seq.</a>	Allows municipalities to charge access tariffs for broadband services. Any tariffs collected are to be kept apart from other revenues in a broadband fund to be used only to defray the cost of building or maintaining broadband infrastructure.	Financing
New Hampshire	<a href="#">RSA § 33:3-g</a>	Allows municipalities to issue bonds to be used for broadband infrastructure financing.	Government Ownership
North Carolina	<a href="#">N.C. Gen. Stat. § 143B-437.44</a>	Recognizes the importance of keeping pace with technological changes and the value of continuing to promote broadband deployment in underserved areas.	Broadband Recognition
Oregon	<a href="#">ORS § 759.016</a>	Recognizes the value of promoting broadband deployment in the state.	Broadband Recognition
Oregon	<a href="#">ORS § 759.036</a>	Requires the Public Utilities Commission to report on the availability of broadband services, the rates charged for broadband services, the demand for broadband services and the usage of broadband services.	Assessment
Pennsylvania	66 Pa.C.S. § 3014 (link not available)	Provides alternative regulation for telecommunications carriers who commit to specific broadband deployment goals in underserved areas.	Alternative Regulation
South Carolina	<a href="#">S.C. Code Ann. § 58-9-280</a>	Eliminates regulation of broadband except when competition is insufficient to protect the public interest.	Deregulation
South Carolina	<a href="#">S.C. Code Ann. § 12-10-85</a>	Provides that one use of the Rural Infrastructure Fund is to provide financial assistance to local governments for deploying infrastructure and improving public and private telecommunications systems.	Financing
Texas	<a href="#">Tex. Utilities Code § 43.001 et seq.</a>	Permits electric utilities to own and operate BPL systems or to allow a third-party entity to provide BPL services using its facilities. Provides that no additional easements or consideration are required prior to installation of a BPL system.	BPL

<b>Texas</b>	<a href="#">Texas PURA § 26.143</a>	This Public Utility Commission of Texas subchapter addresses the need and the methods for telecommunications service providers to provide, when requested, rural telecommunications services at comparable costs and conditions to urban services.	Rural Access
<b>Utah</b>	<a href="#">Utah Code Ann. § 10-18-201 et seq.</a>	Allows municipalities to provide broadband services only after conducting a feasibility study and holding public hearings. A public referendum may also be called. An exemption in the bill allows wholesale or municipal networks, as long as retail services aren't sold. The city can't be the party selling cable television, or broadband, or phone service to a homeowner. The Utah law also allows interlocal cooperation entities to cross state borders	Limits on Municipality Ownership
<b>Vermont</b>	<a href="#">3A V.S.A. 30-7</a>	Directs the Agency of Commerce and Community Development to play leadership role in the state's <u>broadband deployment efforts</u> .	Coordination and Leadership
<b>Virginia</b>	<a href="#">Va. Code Ann. § § 2.2-2233</a>	Creates the Advanced Communications Assistance Fund, to be administered by the Innovative Technology Authority, to help underserved localities in the Commonwealth take full advantage of advanced communications services.	Financing
<b>Virginia</b>	<a href="#">Va. Code Ann. § § 2.2-115</a>	Creates the Governor's Development Opportunity Fund to be used to attract economic development prospects and secure the expansion of existing industry. Funds may be used for public and private utility extension or capacity development on and off site; public and private installation, extension, or capacity development of high-speed or broadband Internet access.	Financing
<b>Washington</b>	<a href="#">Rev. Code Wash. § 82.14.370</a>	Provides that sales and use taxes may be collected by rural counties to support the building and maintenance of telecommunication infrastructure.	Financing
<b>Wisconsin</b>	<a href="#">Wis. Stat. § 66.0422</a>	Prohibits government entities from providing internet services except where specific requirements are met or if the entity was providing the service as of November 1, 2003.	Limits on Municipality Ownership
<b>Wisconsin</b>	<a href="#">Wis. Stat. § 196.204</a>	Waives requirement that the total service long-run incremental cost used to determine pricing take into account taxes, pole rentals, rights-of-way, licenses, and similar costs when a government entity provides broadband services.	Limits on Municipality Ownership