

## State Broadband Statutes

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Broadband is considered by many to be a fundamental vehicle for new services and applications—such as telemedicine, telecommuting and online education—that require high speed Internet connections. State legislative involvement has been an important factor for successful implementation of broadband in the states. This table provides examples of various types of state broadband initiatives.

State	Statute	Description	Category
Arkansas	<a href="#">Ark. Stat. §4-113-101, et seq.</a>	Establishes "Connect Arkansas" and the Arkansas Broadband Council.	Coordination and Leadership
Arkansas	<a href="#">Ark. Stat. §23-18-801, et seq.</a>	Enables Broadband over Power Lines. Permits an electric utility, an affiliate of an electric utility, or a person unaffiliated with an electric utility to own, construct, maintain, and operate a broadband system and provide broadband services on an electric utility's electric delivery system.	Gov't Ownership and Operation
Arkansas	<a href="#">Ark. Stat. § 23-17-401/ 2013 S.B. 297, Act 442</a>	Ensures continued broadband expansion in rural areas within the state; provides 911 emergency service to rural areas within the state; enhances the 911 emergency system and assists its funding; defines Interconnected VoIP service; provides for the implementation of a specified plan in certain circumstances; makes changes concerning Arkansas High Cost Fund charge levels, funding categories, intrastate Carrier Common Line charges, universal service, the phase out of the High Cost Fund, and certain rates.	Definition/ Regulation
Arkansas	<a href="#">Ark. Stat. § 25-4-125/S2013 S.B. 926, Act 1168</a>	Creates a state broadband manager to promote, develop, and coordinate broadband expansion and appropriate broadband infrastructure for all areas of the state.	Coordination and Leadership
Arizona	<a href="#">Ariz. Rev. Stat. §41-3508; §15-1261</a>	Establishes the "Statewide E-rate Program Fund" and requires all school districts and charter schools that receive e-rate funding to establish an e-rate fund, which may be used to reimburse the school district or charter school for broadband Internet and telecommunications costs.	Funding
California	<a href="#">Cal. Gov. Code §61100(af)</a>	Authorizes community services districts to construct, own, improve, maintain, and operate broadband facilities and to provide broadband services until a private person or entity can acquire and operate facilities and provide broadband service at a cost and quality of service comparable to that offered by the community services district.	Gov't Ownership and Operation
California	<a href="#">Cal. Gov. Code § 8885-8889</a>	Establishes the California Broadband Council. The purpose of the Council is to promote broadband deployment in unserved and underserved areas of the state and broadband adoption throughout the state. The act also imposes duties on the Council and specifies the membership of the Council.	Coordination and Leadership
California	<a href="#">Cal. Pub. Util. Code § 281</a>	Increases the amount the Public Utilities Commission is authorized to collect of a surcharge deposited into the State Advanced Services Fund. Requires deposits into the Broadband Infrastructure Grant Account for grants for infrastructure projects to provide broadband universal service. Provides applicants and challenging parties the opportunity to demonstrate broadband service in a project area. Provides for the Broadband Public Housing Account and last-mile broadband access to unserved areas. Requires that a specified amount of additional moneys collected that are deposited into the Broadband Infrastructure Account, be used to support programs designed to increase adoption rates for broadband service for residents of publicly supported communities, and not more than a specified amount of funds in additional funds in the account be used to connect broadband networks to publicly supported communities.	Funding/Regulation
Colorado	<a href="#">Colo. Rev. Stat. §24-37.5-101 et seq.</a>	Creates the Office of Innovation and Technology and charges the office to investigate and develop methods for maximizing broadband access throughout the state.	Coordination and Leadership
Connecticut	<a href="#">Conn. Gen. Stat. §4d-100</a>	Creates the Broadband Internet Coordinating Council, whose duties involve monitoring trends and developments in the state's efforts to develop a state-wide world-class communications infrastructure; and issuing any reports it deems necessary to the joint standing committee of the General Assembly having cognizance of matters relating to technology.	Coordination and Leadership

State	Statute	Description	Category
District of Columbia	<a href="#">D.C. Official Code § 1-1403</a>	Provides that the Office of the Chief Technology Officer shall develop and implement solutions designed to ensure that residents and businesses in all areas of the District have reasonable, affordable access to high-speed Internet services, including obtaining and expending federal grant funds for digital inclusion efforts and awarding sub-grants to nonprofit entities established in the District for the purpose of supporting digital inclusion efforts.	Coordination and Leadership/Funding
Florida	<a href="#">Fla. Stat. §445.046</a>	Encourages the development of a network access point, which is defined to be a carrier-neutral, public-private Internet traffic exchange point.	Coordination and Leadership
Georgia	<a href="#">Ga. Code §36-66B-1</a>	Creates the Advanced Broadband Collocation Act. Provides for streamlined processing of applications for collocation or modification of certain wireless facilities and requires that such applications be reviewed for conformance with site plan and building permit requirements, including zoning and land use conformity. Requires a local governing authority to make its final decision concerning such applications within a specified number of days.	Coordination and Leadership
Georgia	<a href="#">Ga. Code §46-5-221</a>	Defines 'broadband service' as a service that consists of the capability to transmit at a rate not less than 200 kilobits per second in either the upstream or downstream direction and in combination with such service provide either: (A) Access to the Internet; or (B) Computer processing, information storage, or protocol conversion.	Definition
Hawaii	<a href="#">HRS §226-10.5</a>	Sets forth objectives and policies with regard to telecommunications and information technology directed toward positioning Hawaii as a leader in broadband communications and applications in the Pacific Region.	Coordination and Leadership
Hawaii	<a href="#">HRS § 27</a> ; HRS § 46 / <a href="#">2013 H.B. 635, Act 264</a>	Requires the state and the counties to approve, approve with modification, or disapprove all broadband-related permits within specified business days of submitting a permit application and a fee; provides that if no action is taken on the next business day, the application will be deemed approved; relates to cable installation, tower construction, placement of broadband equipment in the road rights-of-way, undersea boring, or the landing of an undersea communications cable.	Regulation
Idaho	<a href="#">Idaho Code §63-3029I</a>	Creates a tax credit for qualified broadband expenditures.	Funding
Illinois	<a href="#">Ill. Rev. Stat. Ch. 20 §661/1 et seq.</a>	Illinois' High Speed Internet Services and Information Technology Act.	Coordination and Leadership
Illinois	<a href="#">Ill. Rev. Stat. ch. 20, §661/20</a>	Relates to broadband deployment, telecommunications services, and cable and video services. Makes changes concerning the analysis of broadband markets, telecommunications rates and services, interstate switched access rates, basic local exchange service, telecommunications devices for persons with disabilities, billing statements, contracts containing early termination fees for residential cable or video services, regulation of interconnected VoIP services, and various other matters.	Coordination and Leadership
Illinois	<a href="#">Ill. Rev. Stat. Ch. 20 §2712/5-1 et seq.</a>	Requires Illinois to create a plan for transmitting high speed data services on all passenger rail systems in Illinois.	Coordination and Leadership
Indiana	<a href="#">Ind. Code §8-1-33-1 et seq.</a>	Creates the Indiana Broadband Development Program, which aims to encourage the provision of affordable broadband services and networks that will ensure the long term growth of and the enhancement and delivery of services by the business, educational, medical, commercial, nonprofit, and governmental entities in underserved areas in Indiana; and benefit residential, commercial, public, governmental, and nonprofit entities in underserved areas in Indiana.	Coordination and Leadership
Indiana	<a href="#">Ind. Code §5-28-33</a>	Requires the Economic Development Corporation to develop a high speed Internet service deployment and adoption initiative, creates a statewide geographic information system of telecommunications and information technology services and exempts from the state gross retail tax certain tangible personal property used to provide broadband services.	Coordination and Leadership
Indiana	<a href="#">Ind. Code § 6-1.1-12.5</a>	Provides for the establishment by counties of infrastructure development zones in which natural gas, broadband and advanced services, and water infrastructure are exempt from property taxation; allows certain electric customers to petition for rate discounts; authorizes a utility that provides electric or gas service to petition to recover transmission, distribution, and storage improvement costs; provides for coordination of public right-of-way use for transportation infrastructure improvement projects.	Regulation
Indiana	<a href="#">Ind. Code § 8-1-2.6-1.3 / 2013 S.B. 492</a>	Provides that a communications service provider is not eligible for property tax exemptions for broadband service if the facilities or technologies are used in a location where wireline broadband service is provided.	Regulation

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Iowa	<a href="#">Iowa Code §12.87</a>	Provides that the treasurer of state may issue and sell bonds for public broadband.	Funding
Iowa	<a href="#">Iowa Code § 476.1D</a>	Requires telephone utilities to offer digital subscriber line broadband service in specific circumstances.	Regulation
Kansas	<a href="#">Kan. Stat. Ann. §66-2005</a>	Defines "broadband network" as a connection that delivers services at speeds exceeding two hundred kilobits per second in both directions and "underserved rural areas" as an area where no more than 15 percent of potential broadband customers in a census tract are capable of receiving broadband of at least 386 kilobits per second in both directions. Requires broadband service providers to show the geographic areas where customers can receive broadband services and the commission to compile this information into a report for the Legislature.	Definition
Kentucky	<a href="#">Ky. Rev. Stat. §147A.023</a>	Makes it the duty of the Kentucky Department for Local Government to Track the deployment and adoption of broadband and information technology in Kentucky; Enable public-private partnerships among broadband providers and relevant government entities to encourage the deployment and adoption of advanced broadband services; Serve as a resource for all citizens, broadband providers, and technology businesses regarding broadband and information technology issues; Report progress on deployment and adoption to the Legislative Research Commission upon request and at least annually; and Ensure notification to the public of the availability of public funds for broadband and information technology investments prior to awarding any contracts or grants.	Coordination and Leadership
Kentucky	<a href="#">Ky. Rev. Stat. §224A.1121</a>	Creates an incentive program to give highest funding priority to those projects which most effectively provide broadband service to the greatest number of unserved Kentucky citizens and at the lowest cost. Funding shall not be used for projects with an intent to deploy broadband service to areas where broadband service already exists; however, it may consider funding for projects that, in providing broadband service for an unserved area, create an overlap in existing broadband coverage for less than twenty percent (20%) of households in the proposed coverage area.	Coordination and Leadership
Kentucky	<a href="#">Ky. Rev. Stat. §278.546 et seq.</a>	Exempts a number of telecommunications systems from regulation, including broadband service.	Regulation
Louisiana	<a href="#">La. Rev. Stat. §51:955.1 et seq.</a>	Creates the Louisiana Broadband Advisory Council.	Coordination and Leadership
Maine	<a href="#">Me. Rev. Stat. § 9202-A</a>	Establishes the state broadband policy. Requires development of target prices and competitively neutral discounts to customers in areas where services are more expensive than the average metropolitan rates and requires the ConnectME Authority to develop target prices for broadband services and establish discounts in rural areas.	Regulation
Maine	<a href="#">Me. Rev. Stat. § 9216</a>	Establishes the requirements of the Broadband Sustainability Fee and Fund. An entity that purchases, leases or otherwise obtains federally supported dark fiber from a dark fiber provider is subject to the following broadband sustainability fees	Regulation
Michigan	<a href="#">Mich. Comp. Laws §125.1432</a>	Requires 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. Specifies that the review is to include an analysis of the Michigan Broadband Development Authority's ability to repay all of its debts to the Authority. Requires an analysis of the number of authority assisted or financed developments and homes purchasing high-speed internet connections at substantially reduced rates.	Assessment
Michigan	<a href="#">Mich. Comp. Laws §484.3201 et seq.</a>	Creates the Michigan Broadband Development Authority.	Coordination and Leadership
Minnesota	<a href="#">Minn. Stat. §237.012</a>	Establishes a goal for the state that by no later than 2015, all state residents and businesses have access to broadband that provides specified download and upload speeds. Requires annual reports by the Commissioner of Commerce that identify barriers impeding the achievement of those goals and suggests strategies to overcome those barriers, and requires the commissioner of commerce to appoint and convene a broadband advisory group.	Coordination and Leadership
Mississippi	<a href="#">Miss. Code §57-87-1 et seq.</a>	Declares Mississippi's policy is to provide incentives for "telecommunications enterprises" to invest in the infrastructure needed to provide broadband technology throughout the state to keep Mississippi competitive and to promote economic development within the state.	Coordination and Leadership

State	Statute	Description	Category
Mississippi	<a href="#">Miss. Code §27-65-101</a>	Extends the sales tax exemption on sales of equipment to telecommunications enterprises that is used in the deployment of broadband technologies. Extends the ad valorem tax exemption for equipment used in the deployment of broadband technologies by telecommunications enterprises.	Funding
Missouri	<a href="#">Mo. Code § 67.5090 to 67.5102/ 2013 H.B. 3311</a>	The Uniform Wireless Communications Infrastructure Deployment Act. Intended to encourage and streamline the deployment of broadband facilities and to help ensure that robust wireless communication services are available throughout Missouri.	Coordination and Leadership
Nebraska	<a href="#">Neb. Rev. Stat. §86-579 et seq.</a>	Creates the Nebraska Internet Enhancement Fund; sets terms for the fund's use.	Funding
Nevada	<a href="#">Nev. Rev. Stat. §704.684</a>	Exempts broadband service from regulation by the Nevada Public Utility Commission except under certain circumstances.	Regulation
Nevada	<a href="#">Nev. Rev. Stat. §04.6878 / 2013 A.B 486</a>	Revises provisions relating to telecommunication providers; authorizes competitive telecommunication providers to apply to the State Public Utilities Commission for relief from the obligations and status of a provider of last resort when alternative services are available; revises provisions relating to the regulation of Internet Protocol-enabled service or Voice over Internet Protocol service.	Regulation
New Hampshire	<a href="#">N.H. Rev. Stat. Ann. § 12-A:59</a>	Establishes the position of Director of Broadband Technology Planning and Development in the Department of Resources and Economic Development and provides that the director's duties include the development of a comprehensive broadband plan for New Hampshire.	Coordination and Leadership
New Hampshire	<a href="#">N.H. Rev. Stat. §§ 38:38 38:39, 38:40, 38:41</a>	Allows municipal areas to charge Broadband Access Tariffs. Those tariffs are then placed into a fund that may be used to repair, expand, or replace broadband infrastructure.	Funding
New Hampshire	<a href="#">N.H. Rev. Stat. §12-A:46</a>	Extends the telecommunications planning and development initiative; changes certain provisions of the telecommunications planning and development advisory committee.	Coordination and Leadership
New Jersey	<a href="#">N.J. Rev. Stat. §40:9D-1 et seq.</a>	Authorizes local units to construct, own or operate broadband telecommunications infrastructure to provide broadband telecommunications service via a wireless community network; or provide broadband telecommunications service via a wireless community network.	Gov't Ownership and Operation
North Carolina	<a href="#">N.C. Gen. Stat. § 62-3</a>	Defines broadband, provides that broadband service provided by public utilities is not to be regulated by the Public Service Commission.	Definition, Regulation
North Carolina	<a href="#">N.C. Gen. Stat. § 62-113</a>	Permits certain broadband services providers to offer voice grade service along with broadband service outside the providers' service territory or franchise area.	Regulation
North Carolina	<a href="#">N.C. Gen. Stat. §§160A:340 et seq.</a>	Regulates the provision of broadband services by cities.	Gov't Ownership and Operation
North Carolina	<a href="#">N.C. Gen. Stat. § 143B-437.01</a>	Creates the Industrial Development Fund; provides funds to assist local government units of the most economically distressed counties in the state in creating and retaining jobs in certain industries. Allows funds to be used for high-speed broadband.	
North Carolina	<a href="#">N.C. Gen. Stat. § 153A-349.60</a>	Provides that counties may provide grants to unaffiliated qualified private providers of highspeed Internet access service, as that term is defined in G.S. 160A-340(4), for the purpose of expanding service in unserved areas for economic development in the county	
Ohio	<a href="#">Oh. Rev. Stat. § 4905.02</a>	Revises state regulation of telephone companies, including any broadband service offered by a telephone company.	Regulation
Oklahoma	<a href="#">Okla. Stat. tit. 17, §139.110</a>	Prohibits the Oklahoma Corporation Commission from placing any regulation upon a provider of high speed Internet access service or broadband service.	Regulation
Oregon	<a href="#">Ore. Rev. Stat. §403.100</a>	Declares Oregon's policy is to encourage and support the rapid deployment of broadband telecommunications services in areas of the state where the services do not exist.	Coordination and Leadership
Rhode Island	<a href="#">R.I. Gen. Laws § 39-28-1 et seq.</a>	Creates a broadband deployment and investment act designed to implement regulations and oversight of broadband across the state.	Coordination and Leadership
Tennessee	<a href="#">Tenn. Code Ann. §§ 7-59-315, -316</a>	Creates the Tennessee broadband deployment fund to promote the deployment of broadband Internet service to unserved areas of the state. Authorizes telecommunications joint ventures to provide broadband services to areas that have been determined to be historically unserved.	Funding

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Tennessee	<a href="#">Tenn. Code Ann. §§ 65-5-201, -202, -203</a>	Establishes the Broadband Business Certainty Act of 2006 to ensure that Tennessee provides an attractive environment for investment in broadband technology by establishing certainty regarding the regulatory treatment of that technology.	
Texas	<a href="#">Tex. Util. Code §43.001 et seq.</a>	Encourages the deployment of Broadband over Power Lines (BPL) by permitting affiliates of the electric utility, or permitting unaffiliated entities, to own or operate all or a portion of such BPL systems. Provides the appropriate framework to support the deployment of BPL.	Coordination and Leadership
Utah	<a href="#">Utah Code §63M-1-2301 et seq.</a>	Creates a Rural Broadband Service Account. Provides for grants to assist providers that want to deploy rural broadband service.	Funding
Vermont	<a href="#">Vt. Stat. tit. 30, §8079</a>	Authorizes the Vermont telecommunications authority to build infrastructure to meet the cellular and broadband needs of unserved Vermonters.	Coordination and Leadership
Vermont	<a href="#">Vt. Stat. Ann. tit. 30, §8090 et seq.</a>	Requires electric or gas utility companies to allow communications service providers access to their infrastructure for the installation and maintenance of communications facilities. Specifies that the communications service provider is responsible for any costs that the electric or gas utility company incurs to obtain easements or other property rights necessary for the installation and operation of communications facilities.	Rights-of-way
Virginia	<a href="#">Va. Code Ann. §§ 2.2-225, 2.2-2218 et seq.</a>	Merges the Innovative Technology Authority and the Research and Technology Advisory Commission into a single entity named the Innovation and Entrepreneurship Investment Authority (IEIA). The IEIA is responsible for monitoring trends in the availability and deployment of and access to broadband communications services.	Coordination and Leadership
Virginia	<a href="#">Va. Code Ann. § 2.2-225.1</a>	Establishes the Office of Telework Promotion and Broadband Assistance which aims to encourage telework as a public policy that promotes workplace efficiency and reduces strains on the transportation infrastructure.	Coordination and Leadership
Virginia	<a href="#">Va. Code Ann. § 2.2-1150.2</a>	Requires state agencies to lease or convey an interest in a state-owned communication tower or site to qualified providers of wireless broadband service to deploy broadband Internet service in areas that are not receiving adequate broadband service.	Regulation
Virginia	<a href="#">Va. Code Ann. §§ 2.2-2699.3-2699.4</a>	Establishes the Governor's Broadband Advisory Council whose purpose is to advise the Governor on policy and funding priorities in order to expedite deployment and reduce the cost of broadband access.	Coordination and Leadership
Virginia	<a href="#">Va. Code Ann. § 15.2-2419 et seq.</a>	Creates the Broadband Infrastructure Loan Fund which empowers local governments to build or facilitate the building of wired or wireless broadband infrastructure to areas currently unserved by broadband services.	Funding
Washington	<a href="#">Wash. Rev. Code §§ 43.330.403 to 43.330.409</a>	Creates a broadband mapping account, coordinates use of funds. Authorizes creation of a geographic information system map with broadband adoption information, availability information, type of high-speed internet deployment technology, and available speed tiers for high-speed internet based on any publicly available data.	Funding, Coordination and Leadership
West Virginia	<a href="#">W. Va. Code §31-15C</a>	Establishes the Broadband Deployment Council and creates the Broadband Deployment Fund. Directs the Council to develop a strategy to provide universal broadband access by stimulating demand for broadband services and by constructing the necessary infrastructure. Requires a report describing the existing broadband infrastructure owned, leased, used, or operated by the state; broadband infrastructure purchased by the state; the demand for the infrastructure in the state; and whether or not that infrastructure is available to the public. Protects proprietary information submitted to the Council from disclosure.	Coordination and Leadership
West Virginia	<a href="#">W. Va. Code §64-10-2</a>	<a href="#">Authorizes the Broadband Deployment Council to promulgate a legislative rule relating to broadband deployment grants programs.</a>	Funding/Coordination and Leadership
Wisconsin	<a href="#">Wis. Stat. §66.0422</a>	States that local governments to meet a number of requirements before enacting an ordinance or adopting a resolution authorizing the local government to construct, own, or operate any facility for providing video service, telecommunications service, or broadband service, directly or indirectly, to the public.	Coordination and Leadership

[1 On August 27, 2013, the Circuit Court of Cole County, Missouri enjoined and stayed HB 331.](#)

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