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AB-41 Broadband infrastructure deployment. (2021-2022)

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Assembly Bill No. 41

CHAPTER 659

An act to amend Section 14051 of the Government Code, and to add Section 281.6 to the Public Utilities Code, relating to communications.

[Approved by Governor October 08, 2021. Filed with Secretary of State October 08, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 41, Wood. Broadband infrastructure deployment.

(1) Existing law vests the Department of Transportation with full possession and control of state highways and associated property. Existing law requires the department to notify companies and organizations working on broadband deployment on its internet website of specified department-led highway construction projects and authorizes those companies and organizations to collaborate with the department to install broadband conduits as part of those projects.

This bill would require the department, as part of those projects that are funded by a specified item of the Budget Act of 2021 and that are located in priority areas, to ensure that construction includes the installation of conduits capable of supporting fiber optic communication cables.

(2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires the commission to develop, implement, and administer the California Advanced Services Fund program to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies.

This bill would require the commission, in collaboration with other relevant state agencies and stakeholders, to maintain and update a statewide, publicly accessible, and interactive map showing the accessibility of broadband service in the state, as provided.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 14051 of the Government Code is amended to read:

14051. (a) For purposes of this section:

(1) "Broadband provider" means a facilities-based provider of broadband, as defined in Section 5830 of the Public Utilities Code.

(2) "Companies or organizations working on broadband deployment" includes, but is not limited to, local governments, nonprofit organizations, cable television corporations, as defined in Section 216.4 of the Public Utilities Code, and telephone corporations, as defined in Section 234 of the Public Utilities Code.

(3) "Priority area" means an area identified by the Public Utilities Commission pursuant to Section 11549.54.

(b) (1) During the project planning phase of a department-led highway construction project that was initiated on or after January 1, 2017, is parallel to the highway, and involves construction methods that are suitable for installing broadband conduit, the department shall notify companies and organizations working on broadband deployment of the project on its internet website to encourage collaborative broadband installations.

(2) For the purpose of supporting fiber optic communication cables, after receiving notification from the department, a company or organization working on broadband deployment may collaborate with the department to install a broadband conduit as part of the project.

(3) The department, in consultation with stakeholders, on or before January 1, 2018, shall develop guidelines to facilitate the installation of broadband conduit on state highway rights-of-way. The guidelines shall address access to information on assets and collaboration on future projects.

(c) The department, as part of each project funded by Item 7502-062-8506 of Section 2.00 of the Budget Act of 2021 located in a priority area, shall, in consultation with the Public Utilities Commission and broadband providers, ensure that the construction includes the installation of conduits capable of supporting fiber optic communication cables.

SEC. 2. Section 281.6 is added to the Public Utilities Code, to read:

281.6. (a) The commission, in collaboration with relevant state agencies and stakeholders, shall maintain and update a statewide, publicly accessible, and interactive map showing the accessibility of broadband service in the state, including, but not limited to, information identifying the percentage of each census block that has broadband service meeting federal and state standards.

(b) The commission may collect from providers of broadband services information necessary to establish and update the map required pursuant to this section.

(c) The commission shall also create a notification feature on the map for individuals. Using this feature, an individual may sign up to be notified when updates are made to the map.

(d) For the purposes of this section, "broadband" has the same meaning as defined in Section 5830.