

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page  
2 3, Section 67.2050, Line 72, by inserting after all of said section and line the following:  
3

4 "71.284. 1. If a local government offers a competitive service where a private business also  
5 offers such service, no financial resources or subsidization to support the service shall be allowed  
6 from any revenue collected by the local government unless such usage of funds for the competitive  
7 service is specifically approved by voters of the city, town, or village.

8 2. The provisions of subsection 1 of this section shall not apply if a single business, or a  
9 local government on behalf of such business, makes a request for a communications service:

10 (1) Of a specific speed;

11 (2) At a specific location within the local government boundaries;

12 (3) On or before a specific date, which shall be no earlier than one hundred eighty days  
13 prior to the planned opening of such business; and

14 (4) That all existing communication service providers within the local government  
15 boundaries are unable to provide, but the local government can provide such communication service  
16 on such date.

17 3. For purposes of this section, the following terms mean:

18 (1) "Communication service", a service that transports information electronically including,  
19 but not limited to, internet protocol enabled services which is provided by a wireless service  
20 provider, broadband, or other internet protocol enabled service provider, video service provider,  
21 telecommunications company, or other communications-related service provider;

22 (2) "Competitive service", a wholesale or retail offering of a specific communication service  
23 that is provided by one or more service providers within the boundaries of the local government.

24 "Competitive service" shall not mean:

25 (a) Any service that a local government is prohibited from offering by law;

26 (b) Any service that a local government is providing on the effective date of this section,  
27 including the enhancement or expansion of such service after the effective date of this section;

28 (c) Any wholesale service that is offered to all potential purchasers including, but not  
29 limited to, a subdivision of a local government under the same terms and conditions;

30 (d) The provision of free wireless communication services to the public; or

31 (e) Any service that a local government uses exclusively for its own internal purposes;

32 (3) "Financial resources or subsidization" shall not include the following:

33 (a) The issuance of a loan by the city, town, or village, which is provided under an  
34 agreement requiring the payment of principal and interest of no less than prime, within ten years;

35 (b) The use of any state, federal, or other grant or loan that is available to the local  
36 government for the purpose of providing the competitive service;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (c) The use of assets owned by the local government, which are provided under an  
2 agreement requiring the payment of fair market value for use of such asset; or

3           (d) Any revenue collected by the local government as payment for providing such  
4 competitive service;

5           (4) "Local government", any city, town, village, or entity under the ownership or control of  
6 any city, town, or village."; and

7  
8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.