

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

Offered By

1 AMEND House Committee Substitute for House Bill No. 461, Page 5, Section 1.512, Line 138, by  
2 inserting after all of said section and line the following:

3  
4 "227.675. 1. The provisions of this section shall be known and may be cited as the  
5 "Department of Transportation Fiber Network Expansion Act".

6 2. For purposes of this section, the following terms mean:

7 (1) "Commission", the Missouri highways and transportation commission;

8 (2) "Department", the Missouri department of transportation.

9 3. The commission may enter into public-private partnerships with private broadband  
10 internet service providers to expand and further develop the department's fiber network.

11 4. The commission shall prioritize expansion and development under this section in  
12 unserved areas and underserved areas, as such terms are defined in section 620.2450.

13 5. The commission shall use a competitive procurement process to form public-private  
14 partnerships under this section. The commission shall publish a public notice of the commission's  
15 request for proposals, including any deadline for submission of such proposals, which shall be  
16 published once a week for two consecutive weeks in:

17 (1) A newspaper of general circulation in the city where the proposed project is located;

18 (2) At least one technology industry trade publication that is nationally distributed; and

19 (3) Such other publications or manner as the commission may determine.

20 6. As part of a contract award under this section, the private partnering entity may use the  
21 excess fiber capacity to provide internet services as long as the services provided meet the state  
22 minimum standard for broadband set by the department of economic development.

23 7. The commission may promulgate any rules to implement the provisions of this section.  
24 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
25 authority delegated in this section shall become effective only if it complies with and is subject to all  
26 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536  
27 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536  
28 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
29 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
30 August 28, 2023, shall be invalid and void."; and

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

- 1 Further amend said bill by amending the title, enacting clause, and intersectional references
- 2 accordingly.