

FIRST REGULAR SESSION

HOUSE BILL NO. 1037

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOSLEY.

2295H.01I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to the department of transportation's fiber network.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 227, RSMo, is amended by adding thereto one new section, to be known as section 227.675, to read as follows:

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

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

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

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

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

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

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

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

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

20 **6. The commission shall ensure that at least twenty-five percent of the workforce**
21 **fulfilling the contracts awarded under this section belongs to a racial minority group, as**
22 **such term is defined in section 37.013.**

23 **7. As part of a contract award under this section, the private partnering entity**
24 **may use the excess fiber capacity to provide internet services as long as the services**
25 **provided meet the state minimum standard for broadband set by the department of**
26 **economic development.**

27 **8. The commission may promulgate any rules to implement the provisions of this**
28 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
29 **created under the authority delegated in this section shall become effective only if it**
30 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
31 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
32 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
33 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
34 **then the grant of rulemaking authority and any rule proposed or adopted after August**
35 **28, 2023, shall be invalid and void.**

✓