

SECOND REGULAR SESSION

HOUSE BILL NO. 1776

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

4276H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to the telecommunications security act.

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

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.1500, to read as follows:

386.1500. 1. This section shall be known and may be cited as the "Secure Telecommunications Act of 2024".

2. As used in this section, the following terms shall mean:

(1) "Critical telecommunications infrastructure", all physical broadband infrastructure and equipment that supports the transmission of information of a user's choosing, regardless of the transmission medium or technology employed, and connects to a network that permits the end user to engage in communications including, but not limited to, service provided directly to the public or to such classes of uses as to be effectively available directly to the public;

(2) "Federally banned corporation", any company or designated equipment currently or previously banned at the federal level. This shall include, but not be limited to, bans resulting from the following federal agencies and acts:

(a) The Federal Communications Commission including, but not limited to, any equipment or service deemed to pose a threat to national security identified on the Covered List developed pursuant to 47 CFR 1.50002, as amended, and published by the Public Safety and Homeland Security Bureau of the Federal Communications

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 **Commission pursuant to the federal Secure and Trust Communications Networks Act of**
18 **2019, 47 U.S.C. 1601 et seq., as amended;**

19 **(b) The Commerce Department;**

20 **(c) The Cybersecurity and Infrastructure Security Agency;**

21 **(d) The Federal Acquisition Security Council; and**

22 **(e) Section 889 of the John S. McCain National Defense Authorization Act for**
23 **Fiscal Year 2019, Pub. L. 115-232;**

24 **(3) "Foreign Adversary", the People's Republic of China, the Russian**
25 **Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea,**
26 **the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab**
27 **Republic, including any agent of any other entity under significant control of such**
28 **foreign country of concern, or any other entity designated by the governor in**
29 **consultation with the Missouri homeland security advisory council;**

30 **(4) "Telecommunications provider", any corporation, public or private, that**
31 **operates any system that supports the transmission of information of a user's choosing,**
32 **regardless of the transmission medium or technology employed, and connects to a**
33 **network that permits the end user to engage in communications including, but not**
34 **limited to, service provided directly to the public or to such classes of uses as to be**
35 **effective available directly to the public.**

36 **3. All critical telecommunications infrastructure located within or serving this**
37 **state shall henceforth be constructed not to include any equipment manufactured by a**
38 **federally banned corporation nor any equipment banned at the federal level.**

39 **4. All critical telecommunications infrastructure located within or serving this**
40 **state shall henceforth be constructed not to include any equipment manufactured in or**
41 **by, including any equipment whose critical or necessary components are manufactured**
42 **in or by, a foreign adversary, a state-owned enterprise of a foreign adversary, or a**
43 **company domiciled within a foreign adversary.**

44 **5. All critical telecommunications infrastructure in operation within or serving**
45 **this state, including any critical telecommunications infrastructure which is not**
46 **permanently disabled, shall have all equipment prohibited by subsections 3 and 4 of this**
47 **section removed and replaced with equipment that is not prohibited by subsections 3**
48 **and 4 of this section. Any telecommunications provider that removes, discontinues, or**
49 **replaces any prohibited telecommunications equipment or service shall not be required**
50 **to obtain any additional permits from any state agency or political subdivision for the**
51 **removal, discontinuance, or replacement of such communications equipment or service**
52 **as long as the state agency or political subdivision is properly notified of the necessary**

53 replacements and the replacement communications equipment is similar to the existing
54 communications equipment.

55 **6. Any telecommunications provider providing service in this state shall file a**
56 **registration form with and pay a registration fee to the public service commission before**
57 **September 1, 2024, and then on January first each year. Any communications provider**
58 **shall register with the public service commission prior to providing service. The public**
59 **service commission shall prescribe the registration form to be filed under this section.**

60 **7. A telecommunications provider shall:**

61 **(1) Provide the public service commission with the name, address, telephone**
62 **number, and email address of a person with managerial responsibility for operations in**
63 **this state;**

64 **(2) Submit a registration fee at the time of submission of the registration form.**
65 **The public service commission shall set the fee in an amount sufficient to cover the costs**
66 **of administering the registration process but not to exceed fifty dollars;**

67 **(3) Keep the information required by this section current and notify the**
68 **commission of any changes to such information within sixty days after the change; and**

69 **(4) Certify to the public service commission by January first each year that all**
70 **critical telecommunications equipment and infrastructure within its operation does not**
71 **use or provide any communications equipment or service covered under subsections 3**
72 **and 4.**

73 **8. The public service commission shall administratively fine any**
74 **telecommunications provider that violates this section with a fine of no less than fifty**
75 **thousand dollars per day and no greater than five hundred thousand dollars per day of**
76 **noncompliance.**

77 **9. The public service commission shall administratively fine any**
78 **telecommunications provider that knowingly submits a false registration form**
79 **described in this section with a fine of no less than one hundred thousand dollars per**
80 **day and no greater than one million dollars per day of noncompliance.**

81 **10. Any telecommunications provider that fails to comply with this section is**
82 **prohibited from receiving any state or local funds for the development or support of**
83 **new or existing critical telecommunications infrastructure, including the Missouri**
84 **universal service fund, and is prohibited from receiving any federal funds subject to**
85 **distribution by state or local governments for the development or support of new or**
86 **existing critical telecommunications infrastructure.**

87 **11. The public service commission may promulgate all necessary rules and**
88 **regulations for the administration of this section. Any rule or portion of a rule, as that**
89 **term is defined in section 536.010, that is created under the authority delegated in this**

90 **section shall become effective only if it complies with and is subject to all of the**
91 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
92 **536 are nonseverable and if any of the powers vested with the general assembly**
93 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
94 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
95 **and any rule proposed or adopted after August 28, 2024, shall be invalid and void.**

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