

HOUSE BILL No. 1093

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-32.7-5.

Synopsis: Use of I-Light at schools. Allows the use of I-Light (the high speed communications network that connects state educational institutions and private postsecondary educational institutions throughout Indiana) for the provision of communications service to an accredited public school or nonpublic school in furtherance of education for the direct benefit of students, faculty, or staff.

Effective: July 1, 2014.

Huston

January 9, 2014, read first time and referred to Committee on Education.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-1-32.7-5, AS ADDED BY P.L.79-2012,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 5. (a) Except as provided in subsections (b) and
4 (c) and in IC 21-28-5, after March 31, 2012, I-Light may not be used
5 to offer or provide, directly or indirectly, communications service to the
6 public or to any private or governmental entity.
7 (b) This section does not prohibit the use of I-Light for any of the
8 following:
9 (1) The provision of communications service to the extent used
10 solely for 911 service, enhanced 911 service, or any other
11 emergency or law enforcement purpose.
12 (2) The provision of communications service to a state
13 educational institution or a private postsecondary educational
14 institution in furtherance of education or research for the direct
15 benefit of students, faculty, or staff. The provision of
16 communications service under this subdivision may include the



1 provision of communications service to a person that is not a state
 2 educational institution or a private postsecondary educational
 3 institution if:

4 (A) the person has a research and development relationship
 5 with a state educational institution or a private postsecondary
 6 educational institution; and

7 (B) the communications service required by and provided to
 8 the person:

9 (i) is a one (1) gigabit per second or greater network
 10 connection;

11 (ii) is used in furtherance of the research and development
 12 relationship only;

13 (iii) is provided only for a specific research and
 14 development project;

15 (iv) is provided only for the limited duration of the specific
 16 research and development project; and

17 (v) is not provided in competition with private sector
 18 communications service providers' provision of
 19 communications service.

20 (3) The provision of communications service to member licensees
 21 of Indiana Public Broadcasting Stations, Inc., for the direct benefit
 22 of public broadcasting.

23 **(4) The provision of communications service to an accredited:**

24 **(A) public school (as defined in IC 20-18-2-15(1)); or**

25 **(B) nonpublic school (as defined in IC 20-18-2-12);**

26 **in furtherance of education for the direct benefit of students,**
 27 **faculty, or staff.**

28 (c) Notwithstanding subsection (a), the state remains subject to any
 29 contractual rights, duties, and obligations incurred by the state and
 30 owed to any private person under a contract for the provision of
 31 communications service that was entered into by the state before April
 32 1, 2012, and that remains in effect after March 31, 2012. All liens,
 33 security interests, royalties, and other contracts, rights, and interests
 34 owed to a private person under the contract continue in full force and
 35 effect and must be paid or performed by the state in the manner
 36 specified in the contract, subject to the right of the state and all other
 37 contracting parties to renegotiate the terms of the contract at any time
 38 before the expiration of the contract.

