

2021 Regular Session

HOUSE BILL NO. 476

BY REPRESENTATIVE SCHAMERHORN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COMMERCE: Provides relative to broadband

1 AN ACT

2 To enact Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 composed of R.S. 51:1371, relative to broadband development; to provide legislative
4 intent; to encourage parishes and municipalities to utilize public-private partnership
5 projects; to authorize parishes and municipalities to create data authorities; to
6 authorize the use of funds; to prohibit a partnership from also being a service
7 provider; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950,
10 composed of R.S. 51:1371, is hereby amended and reenacted to read as follows:

11 CHAPTER 12-A. PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS

12 §1371. Legislative findings; authorization

13 A. The legislature finds that the expansion of broadband in the state is a
14 necessary and vital component in the ongoing efforts to strengthen the economy,
15 provide quality education, encourage innovation and entrepreneurship, compete on
16 a national and global scale, expand quality healthcare to all communities, and
17 improve the quality of life for all citizens of this state. The legislature further finds
18 that the engagement of parishes and municipalities is an integral part of expanding
19 broadband throughout the state in an efficient and effective manner. It is therefore
20 the declaration of the legislature that parishes and municipalities are encouraged to

1 participate in the pursuit of statewide connectivity by utilizing public-private
2 partnership projects when in the best interest of the taxpayer, to help the state finance
3 development and improvement of broadband and high-speed data infrastructure and
4 meet local broadband and high-speed data infrastructure needs.

5 B. Parishes and municipalities may create broadband or high-speed data
6 transmission authorities, which may enter into agreements with public or private
7 entities to construct, maintain, repair, or operate broadband or high-speed data
8 infrastructure projects.

9 C. Broadband or high-speed data transmission authorities may invest public
10 and private money to finance public-private partnership projects initiated pursuant
11 to this Chapter, subject to compliance with all applicable state law relative to the use
12 of public funds.

13 D. Any public-private partnership project formed under the transmission
14 authority, as provided for in Subsection B of this Section, shall be prohibited from
15 serving as the internet service provider.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 476 Original

2021 Regular Session

Schamerhorn

Abstract: Allows parishes and municipalities to utilize public-private partnership projects for purposes of broadband and high-speed data infrastructure expansion.

Proposed law provides legislative findings.

Proposed law encourages municipalities and parishes to utilize public-private partnership projects (PPPs).

Proposed law allows municipalities and parishes to create data transmission authorities which can enter into agreements with public or private industries in order to create and maintain broadband and high-speed data infrastructure.

Proposed law allows the data transmission authorities to invest public and private funds to finance PPPs, subject to compliance with present law.

Proposed law prohibits a partnership created under proposed law from being the internet service provider.

(Adds R.S. 51:1371)