

# HOUSE BILL NO. 2908

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MOSLEY.

5873H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

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

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*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, 2022, shall be invalid and void.**

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