

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 849 By: Paxton of the Senate  
3 and  
4 Caldwell (Trey) of the  
5 House

6  
7 [ Oklahoma Broadband Expansion Act - data reporting -  
8 effective date -  
9 emergency ]

10  
11 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill  
12 and insert:

13  
14 "[ Oklahoma Broadband Expansion Act - reporting  
15 requirements for coverage map data - submission  
16 deadlines - regular updates - requirements -  
17 disclosures - consent - effective date -  
18 emergency ]

19  
20  
21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 17 O.S. 2021, Section 139.203, as  
23 amended by Section 11, Chapter 229, O.S.L. 2022, and as renumbered  
24

1 by Section 14, Chapter 229, O.S.L. 2022 (74 O.S. Supp. 2022, Section  
2 9210), is amended to read as follows:

3 Section 9210. A. ~~On or before October 31, 2022, and annually~~  
4 ~~thereafter, in~~ In accordance with the FCC Data Collection and  
5 Methodology, private broadband service providers operating in this  
6 state and satellite-based broadband private providers that have been  
7 designated as an eligible telecommunications carrier pursuant to 47  
8 U.S.C., Section 214(e) (6) for any portion of Oklahoma, hereinafter  
9 referred to as "private providers", shall submit to the Oklahoma  
10 Broadband Office, within five (5) days of the submission deadlines  
11 set by the FCC, a copy of the ~~broadband network area coverage map~~  
12 data in the same format as the private providers ~~are required to~~  
13 submit to the FCC pursuant to the federal Broadband Deployment  
14 Accuracy and Technological Availability Act, 47 U.S.C., Section 641  
15 et seq. The map data shall be periodically updated ~~annually~~ through  
16 a supplemental submission by the private providers ~~that reflects~~  
17 ~~changes in area coverage from the preceding year, including as~~  
18 requested by the Office, including, but not limited to, any updates  
19 ~~that are the result of~~ relating to incentives and grants created,  
20 administered, or awarded by the Office. The Office is authorized to  
21 ~~promulgate rules~~ establish requirements for the collection of the  
22 broadband network area coverage map reports from the private  
23 providers.

24

1 B. On or before October 31 of each year, OneNet, the Office of  
2 Management and Enterprise Services, the Oklahoma Corporation  
3 Commission, ~~and~~ the Oklahoma Department of Transportation, and any  
4 other state agencies that own, operate or manage broadband network  
5 assets, hereinafter referred to as "public entities", shall submit  
6 to the Office and the Broadband Expansion Council broadband network  
7 area coverage map data of all assets and network coverage in the  
8 format requested by the Office.

9 C. Private providers and public entities shall disclose to the  
10 Office ~~the properties~~ all individual locations they serve and the  
11 maximum advertised download and upload speeds at which they provide  
12 any Internet services to those ~~properties~~ locations.

13 D. The reports and information required to be disclosed  
14 pursuant to this section by private providers shall ~~remain~~ be  
15 considered confidential pursuant to Section 24A.10 of Title 51 of  
16 the Oklahoma Statutes and shall not be publicly disclosed without  
17 the consent of the private provider. The Office shall determine the  
18 required submission format of the data submitted under the  
19 provisions of this act.

20 E. On or before December 1 of each year, the Office shall  
21 update the statewide broadband services map required by subsection E  
22 of Section 5 of this act using the data collected under the  
23 provisions of this act in a manner that identifies the assets and  
24 service areas of the public entities while displaying anonymized

1 information, without reference to any specific private provider, of  
2 the assets and service areas of private providers.

3 SECTION 2. This act shall become effective July 1, 2023.

4 SECTION 3. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval."

8 Passed the House of Representatives the 26th day of April, 2023.

9

10

11

\_\_\_\_\_  
Presiding Officer of the House of  
Representatives

12

13 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2023.

14

15

16

\_\_\_\_\_  
Presiding Officer of the Senate

17

18

19

20

21

22

23

24

1 ENGROSSED SENATE  
2 BILL NO. 849

By: Paxton of the Senate

3 and

4 Caldwell (Trey) of the  
5 House

6 [ Oklahoma Broadband Expansion Act - data reporting -  
7 effective date -  
8 emergency ]

9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 4. AMENDATORY 17 O.S. 2021, Section 139.203, as  
11 amended by Section 11, Chapter 229, O.S.L. 2022, and as renumbered  
12 by Section 14, Chapter 229, O.S.L. 2022 (74 O.S. Supp. 2022, Section  
13 9210), is amended to read as follows:

14 Section 9210. A. On or before October 31, 2022, and annually  
15 thereafter, in accordance with the FCC Data Collection and  
16 Methodology, private broadband service providers operating in this  
17 state and satellite-based broadband private providers that have been  
18 designated as an eligible telecommunications carrier pursuant to 47  
19 U.S.C., Section 214(e) (6) for any portion of Oklahoma, hereinafter  
20 referred to as "private providers", shall submit to the Oklahoma  
21 Broadband Office a copy of the ~~broadband network area coverage map~~  
22 data the private providers ~~are required to~~ submit to the FCC  
23 pursuant to the federal Broadband Deployment Accuracy and  
24 Technological Availability Act, 47 U.S.C., Section 641 et seq. The

1 map data shall be updated annually through a supplemental submission  
2 by the private providers ~~that reflects changes in area coverage from~~  
3 ~~the preceding year, including~~ and any updates ~~that are the result of~~  
4 relating to incentives and grants created, administered, or awarded  
5 by the Office. The Office is authorized to promulgate rules for the  
6 collection of the broadband network area coverage map reports from  
7 the private providers.

8 B. On or before October 31 of each year, OneNet, the Office of  
9 Management and Enterprise Services, the Oklahoma Corporation  
10 Commission, and the Oklahoma Department of Transportation,  
11 hereinafter referred to as "public entities", shall submit to the  
12 Office and the Broadband Expansion Council broadband network area  
13 coverage map data of all assets and network coverage in the format  
14 requested by the Office.

15 C. Private providers and public entities shall disclose to the  
16 Office the properties they serve and the maximum advertised download  
17 and upload speeds at which they provide any Internet services to  
18 those properties.

19 D. The reports and information required to be disclosed  
20 pursuant to this section by private providers shall remain  
21 confidential pursuant to Section 24A.10 of Title 51 of the Oklahoma  
22 Statutes. The Office shall determine the required submission format  
23 of the data submitted under the provisions of this act.

24

1 E. On or before December 1 of each year, the Office shall  
2 update the statewide broadband services map required by subsection E  
3 of Section 5 of this act using the data collected under the  
4 provisions of this act in a manner that identifies the assets and  
5 service areas of the public entities while displaying anonymized  
6 information, without reference to any specific private provider, of  
7 the assets and service areas of private providers.

8 SECTION 5. This act shall become effective July 1, 2023.

9 SECTION 6. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

13 Passed the Senate the 21st day of March, 2023.

14  
15 \_\_\_\_\_  
16 Presiding Officer of the Senate

17 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
18 2023.

19  
20 \_\_\_\_\_  
21 Presiding Officer of the House  
22 of Representatives  
23  
24