

COMMITTEE ON GOVERNMENT
SENATE AMENDMENTS TO H.B. 2144
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 9, chapter 5, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-600.01, to read:

4 9-600.01. Broadband service; unserved or underserved areas;
5 right-of-way

6 IN ANY PORTION OF A CITY OR TOWN OWNED RIGHT-OF-WAY THAT IS UNSERVED
7 OR UNDERSERVED BY BROADBAND SERVICE, A CITY OR TOWN, WITHIN THIRTY DAYS,
8 SHALL PROMPTLY PROCESS EACH VALID AND ADMINISTRATIVELY COMPLETE APPLICATION
9 OF A PROVIDER FOR ANY PERMIT, LICENSE OR CONSENT TO EXCAVATE, SET POLES,
10 LOCATE LINES, CONSTRUCT FACILITIES, MAKE REPAIRS, EFFECT TRAFFIC FLOW OR
11 OBTAIN ZONING OR SUBDIVISION REGULATION APPROVALS OR FOR OTHER SIMILAR
12 APPROVALS WITH RESPECT TO FACILITIES TO BE CONSTRUCTED IN THE PUBLIC
13 RIGHT-OF-WAY. THE CITY OR TOWN SHALL MAKE A REASONABLE EFFORT NOT TO DELAY
14 OR BURDEN THE PROVIDER IN THE TIMELY CONDUCT OF THE PROVIDER'S BUSINESS OR
15 CHARGE ANY NON-COST BASED PERMITTING FEES. THE CITY OR TOWN SHALL USE ITS
16 BEST EFFORTS TO ASSIST THE PROVIDER IN OBTAINING ALL PERMITS, LICENSES AND
17 OTHER CONSENTS IN A TIMELY MANNER.

18 Sec. 2. Title 11, chapter 13, article 1, Arizona Revised Statutes,
19 is amended by adding section 11-1811, to read:

20 11-1811. Broadband service; unserved or underserved areas;
21 right-of-way

22 IN ANY PORTION OF A COUNTY OWNED RIGHT-OF-WAY THAT IS UNSERVED OR
23 UNDERSERVED BY BROADBAND SERVICE, A COUNTY, WITHIN THIRTY DAYS, SHALL
24 PROMPTLY PROCESS EACH VALID AND ADMINISTRATIVELY COMPLETE APPLICATION OF A
25 PROVIDER FOR ANY PERMIT, LICENSE OR CONSENT TO EXCAVATE, SET POLES, LOCATE

1 LINES, CONSTRUCT FACILITIES, MAKE REPAIRS, EFFECT TRAFFIC FLOW OR OBTAIN
2 ZONING OR SUBDIVISION REGULATION APPROVALS OR FOR OTHER SIMILAR APPROVALS
3 WITH RESPECT TO FACILITIES TO BE CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY.

4 THE COUNTY SHALL MAKE A REASONABLE EFFORT NOT TO DELAY OR BURDEN THE
5 PROVIDER IN THE TIMELY CONDUCT OF THE PROVIDER'S BUSINESS OR CHARGE ANY
6 NON-COST BASED PERMITTING FEES. THE COUNTY SHALL USE ITS BEST EFFORTS TO
7 ASSIST THE PROVIDER IN OBTAINING ALL PERMITS, LICENSES AND OTHER CONSENTS
8 IN A TIMELY MANNER.

9 Sec. 3. Section 41-1511, Arizona Revised Statutes, is amended to
10 read:

11 41-1511. State broadband office; director; duties; right-of-
12 way

13 A. The state broadband office is established in the authority.

14 B. The state broadband office consists of the state broadband
15 director, who serves at the pleasure of the chief executive officer. The
16 chief executive officer may hire staff for the state broadband office to do
17 the following:

18 1. Coordinate the implementation of local, state and federal
19 broadband programs.

20 2. Coordinate and execute federal broadband grant applications with
21 public and private stakeholders.

22 3. Provide guidance and support to stakeholders in navigating local,
23 state and federal regulatory and permitting processes for broadband
24 infrastructure projects.

25 4. Provide guidance and support to local and state public and
26 private partners on federal, state and local broadband policies and
27 practices.

28 5. Solicit feedback from stakeholders to develop long-term local,
29 state and federal broadband policy priorities that may influence local,
30 state and federal broadband policies and programs.

1 6. Work with local partners, state and federal agencies and
2 telecommunication providers to develop plans to improve internet
3 connectivity and resiliency in this state.

4 C. The state broadband office shall publish and maintain a state
5 broadband plan that further elaborates on the strategies and tactics to
6 achieve this state's broadband goals.

7 D. The state broadband office may develop rules and guidelines to
8 implement this section.

9 E. IN ANY PORTION OF A STATE OWNED RIGHT-OF-WAY THAT IS UNSERVED OR
10 UNDERSERVED BY BROADBAND SERVICE, A STATE AGENCY, WITHIN THIRTY DAYS, SHALL
11 PROMPTLY PROCESS EACH VALID AND ADMINISTRATIVELY COMPLETE APPLICATION OF A
12 PROVIDER FOR ANY PERMIT, LICENSE OR CONSENT TO EXCAVATE, SET POLES, LOCATE
13 LINES, CONSTRUCT FACILITIES, MAKE REPAIRS, EFFECT TRAFFIC FLOW OR OBTAIN
14 ZONING OR SUBDIVISION REGULATION APPROVALS OR FOR OTHER SIMILAR APPROVALS
15 WITH RESPECT TO FACILITIES TO BE CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY.
16 THE STATE AGENCY SHALL MAKE A REASONABLE EFFORT NOT TO DELAY OR BURDEN THE
17 PROVIDER IN THE TIMELY CONDUCT OF THE PROVIDER'S BUSINESS OR CHARGE ANY
18 NON-COST BASED PERMITTING FEES. THE STATE AGENCY SHALL USE ITS BEST EFFORTS
19 TO ASSIST THE PROVIDER IN OBTAINING ALL PERMITS, LICENSES AND OTHER
20 CONSENTS IN A TIMELY MANNER."

21 Amend title to conform

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