

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1045

(Reference to Senate 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 AS BY THE FEDERAL COMMUNICATIONS
8 COMMISSION, A CITY OR TOWN, WITHIN THIRTY DAYS, SHALL PROMPTLY PROCESS
9 VALID AND ADMINISTRATIVELY COMPLETE APPLICATION OF A PROVIDER FOR ANY
10 PERMIT, LICENSE OR CONSENT TO EXCAVATE, SET POLES, LOCATE LINES, CONSTRUCT
11 FACILITIES, MAKE REPAIRS, EFFECT TRAFFIC FLOW OR OBTAIN ZONING OR
12 SUBDIVISION REGULATION APPROVALS OR FOR OTHER SIMILAR APPROVALS WITH
13 RESPECT TO FACILITIES TO BE CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY. THE
14 CITY OR TOWN SHALL MAKE A REASONABLE EFFORT NOT TO DELAY OR BURDEN THE
15 PROVIDER IN THE TIMELY CONDUCT OF THE PROVIDER'S BUSINESS. THE CITY OR
16 TOWN SHALL USE ITS BEST EFFORTS TO ASSIST THE PROVIDER IN OBTAINING ALL
17 PERMITS, LICENSES AND 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 AS BY THE FEDERAL COMMUNICATIONS

1 COMMISSION, A COUNTY, WITHIN THIRTY DAYS, SHALL PROMPTLY PROCESS VALID AND
2 ADMINISTRATIVELY COMPLETE APPLICATION OF A PROVIDER FOR ANY PERMIT, LICENSE
3 OR CONSENT TO EXCAVATE, SET POLES, LOCATE LINES, CONSTRUCT FACILITIES, MAKE
4 REPAIRS, EFFECT TRAFFIC FLOW OR OBTAIN ZONING OR SUBDIVISION REGULATION
5 APPROVALS OR FOR OTHER SIMILAR APPROVALS WITH RESPECT TO FACILITIES TO BE
6 CONSTRUCTED IN THE PUBLIC RIGHT-OF-WAY. THE COUNTY SHALL MAKE A REASONABLE
7 EFFORT NOT TO DELAY OR BURDEN THE PROVIDER IN THE TIMELY CONDUCT OF THE
8 PROVIDER'S BUSINESS. THE COUNTY SHALL USE ITS BEST EFFORTS TO ASSIST THE
9 PROVIDER IN OBTAINING ALL PERMITS, LICENSES AND OTHER CONSENTS IN A TIMELY
10 MANNER.

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

13 41-1511. State broadband office; director; duties;
14 right-of-way

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

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

20 1. Coordinate the implementation of local, state and federal
21 broadband programs.

22 2. Coordinate and execute federal broadband grant applications with
23 public and private stakeholders.

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

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

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

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

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

10 D. The state broadband office may develop rules and guidelines to
11 implement this section.

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

24 Amend title to conform

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