

Introduced by Senator Escutia

February 22, 2005

An act to add Section ~~13984~~ 12019.5 to the Government Code, and to add Sections 871.9 and 883.5 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 850, as amended, Escutia. Broadband telecommunications service.

(1) Under existing law, ~~there is in state government the Business, Transportation and Housing Agency, under the supervision of the Secretary of Business, Transportation and Housing. Existing law requires the secretary to advise the Governor on, and assist the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency the State Chief Information Officer is part of the Governor's Office, and acts as the special advisor to the Governor on information technology issues.~~

This bill would require the ~~secretary~~ State Chief Information Officer to develop a strategy for making broadband telecommunications service accessible to all areas of the state, as prescribed, and would require the ~~secretary~~ State Chief Information Officer to prepare and submit to the Legislature a report on the strategy developed before January 1, 2007.

(2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law imposes various duties on the commission with regard to the provision of universal telephone and telecommunications service.

This bill would require the commission to determine ~~which geographic areas of the state are lacking broadband telecommunications service availability and which areas are lacking competition in the provision of broadband telecommunications service. The bill would require the commission to prepare and submit a report on its findings to the Legislature and the secretary on or before July 1, 2006~~ *the availability of, and the level or degree of competition for, the provision of two-way broadband access, by census tract, and would require the commission to report its findings to the Legislature and the State Chief Information Officer on or before July 1, 2006.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~13984~~ 12019.5 is added to the
2 Government Code, to read:
3 ~~13984. (a) The secretary~~
4 *12019.5. (a) The State Chief Information Officer shall develop*
5 *a strategy for making broadband telecommunications service*
6 *accessible to all areas of the state. In developing that strategy, the*
7 ~~secretary~~ *State Chief Information Officer shall consider all of the*
8 *following*
9 (1) How to encourage the deployment of privately financed
10 broadband infrastructure.
11 (2) Where privately financed infrastructure will not be
12 deployed in a timely manner, how to encourage publicly financed
13 infrastructure.
14 (3) How public or private partnerships and cooperatives can be
15 utilized.
16 (b) ~~The secretary shall consult with the state's Chief~~
17 ~~Information Officer on~~ *State Chief Information Officer shall*
18 *determine whether any state-owned or state-controlled facilities*
19 *can be used in furtherance of the state's universal service policy.*
20 (c) ~~The secretary~~ *Notwithstanding Section 7550.5, the State*
21 *Chief Information Officer shall prepare and submit to the*
22 *Legislature a report on the strategy developed pursuant to this*
23 *section before January 1, 2007.*

1 SEC. 2. Section 871.9 is added to the Public Utilities Code, to
2 read:

3 871.9. (a) The Legislature finds and declares all of the
4 following:

5 (1) California has long had a policy of universal telephone
6 service that resulted in programs that helped individuals obtain
7 affordable access to basic telephone service.

8 (2) Broadband telecommunications service, whether provided
9 by cable, fiber optic line, or wirelessly, provides much greater
10 capability than basic telephone service.

11 (3) Broadband telecommunications service has been rapidly
12 adopted, with about 30,000,000 broadband customers
13 nationwide.

14 (4) However, broadband service is not offered in many areas
15 of this state. About 25 percent of cities in this state do not have
16 any broadband access.

17 (5) Broadband service is the foundation for our nation's
18 continued technological and economic leadership.

19 (6) The absence of broadband is a barrier to economic
20 development.

21 (7) The President of the United States has declared that the
22 country should have universal, affordable broadband access by
23 2007.

24 (b) The Legislature further finds and declares that this state's
25 universal service policy should include the concept of universal
26 availability of broadband to all areas of the state.

27 SEC. 3. Section 883.5 is added to the Public Utilities Code, to
28 read:

29 883.5. The commission shall determine ~~which geographic~~
30 ~~areas of the state are lacking broadband telecommunications~~
31 ~~service availability and which areas are lacking competition in~~
32 ~~the provision of broadband telecommunications service. The~~
33 ~~commission shall prepare and submit a report on its findings to~~
34 ~~the Legislature and to the Secretary of Business, Transportation~~
35 ~~and Housing on or before July 1, 2006. the availability of, and~~
36 ~~the level or degree of competition for, the provision of two-way~~
37 ~~broadband access, by census tract. Notwithstanding Section~~
38 ~~7550.5, the commission shall report its findings to the~~
39 ~~Legislature and the State Chief Information Officer on or before~~
40 ~~July 1, 2006.~~

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