A bill to be entitled

An act relating to broadband infrastructure; amending s. 288.9961, F.S.; revising the duties of the Florida Office of Broadband to include administering reimbursements under newly created s. 288.9964, F.S.; creating s. 288.9964, F.S.; authorizing certain persons to apply to the office for reimbursement of certain pole replacement costs, subject to availability of funds; defining pole replacement costs; providing conditions under which costs are eligible for reimbursement; providing for applications; requiring certain information to be reported and published annually by the office; requiring the Department of Economic Opportunity to adopt implementing rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (g) is added to subsection (4) of section 288.9961, Florida Statutes, to read:

288.9961 Promotion of broadband adoption; Florida Office of Broadband.—

(4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of Broadband is created within the Division of Community Development in the department for the purpose of developing,

marketing, and promoting broadband Internet services in this state. The office, in the performance of its duties, shall do all of the following:

(g) Administer reimbursements under s. 288.9964.

Section 2. Section 288.9964, Florida Statutes, is created to read:

288.9964 Reimbursement of certain pole replacement costs.—

(1) Any person eligible to apply for a grant award under s. 288.9962 may apply to the office for reimbursement of pole replacement costs as specified in this section, subject to availability of funds. If funds disbursed or awarded to the state by the federal government are used to provide reimbursement under this section, such use must comply with any requirements or conditions for use of the federal funds.

(2) For purposes of this section, pole replacement costs are the actual costs incurred by an eligible applicant:

(a) To remove and dispose of one or more existing poles that are owned by an electric utility as defined in s. 366.02(2), a communications services provider as defined in s. 366.02(5), a cable television operator, or a local exchange carrier and that are used in whole or in part to distribute electricity or provide wireline communications service;

(b) To purchase and install one or more replacement poles; and

(c) To transfer to such replacement pole or poles any

facilities previously attached to the pole or poles that were removed and replaced.

(3) Pole replacement costs are eligible for reimbursement under this section if:

(a) The costs are actually incurred by an eligible applicant to install or deploy infrastructure to support the provision of broadband Internet service to customers in an unserved area;

(b) Federal or state funds have not been awarded to a broadband Internet service provider to install or deploy infrastructure to support the provision of broadband Internet service to customers in the same area; and

(c) The applicant has not applied for any other federal or state funds to install or deploy infrastructure to support the provision of broadband Internet service to customers in the same area.

(4) Applications for reimbursement of pole replacement costs under this section shall provide information sufficient to establish the actual amount of the costs incurred and eligible for reimbursement and such other information as required by the office and shall be submitted in a form specified by the office.

(5) By January 1, 2023, and each year thereafter, the office shall publish on its website and provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives, a list of all reimbursement applications

received during the previous fiscal year and for each application:

(a) The reimbursement amounts requested;

(b) The reimbursement amounts awarded, if any; and

(c) To the extent available, the number of end-use locations, by customer class, to which broadband Internet service has been made available through pole replacements supported by this section.

(6) The department shall adopt rules to implement this section. Such rules may specify maximum annual reimbursement amounts per applicant and maximum reimbursement amounts per eligible pole replacement.

Section 3. This act shall take effect July 1, 2022.