

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/SCS/House Bill No. 1768, Page 13, Section 67.5122, Line 9,

2 by inserting after all of said line the following:

3 "71.1000. 1. Two or more municipalities may elect to form  
4 a broadband infrastructure improvement district for the delivery  
5 of broadband internet service to the residents of such  
6 municipality, which district shall be a body politic and  
7 corporate.

8 2. A municipality electing to form a district under this  
9 section shall submit to the eligible voters of each such  
10 municipality a proposition at an annual or special election of  
11 such municipality, in substantially the following form:

12 "Shall the municipality of ..... enter into a  
13 broadband infrastructure improvement district to be  
14 known as .....?"

15 3. Additional municipalities may be admitted to the  
16 district in the manner provided in subsection 8 of this section.

17 4. A district created under this section shall have the  
18 power to contract with a broadband internet service provider to  
19 provide broadband internet service to the residents of the  
20 district.

21 5. A district may finance the provision or expansion of

1 broadband internet service through grants, loans, bonds, or user  
2 fees.

3 6. A district shall not have the power to levy, assess,  
4 apportion, or collect any tax upon property within the district  
5 nor upon any of its members.

6 7. (1) The district governing board shall be composed of  
7 at least one representative from each member, but in no case  
8 shall there be less than four representatives.

9 (2) Annually, on or before the last Monday in April  
10 commencing in the year following the effective date of the  
11 district's creation, the local governing body of each member  
12 shall appoint a representative to the district governing board  
13 for one-year terms. The local governing body of a member, by  
14 majority vote, may replace its appointed representative at any  
15 time.

16 (3) For the purpose of transacting business, the presence  
17 of representatives representing more than fifty percent of  
18 district members shall constitute a quorum. Any action adopted  
19 by a majority of the votes cast at a meeting of the governing  
20 board at which a quorum is present shall be the action of the  
21 board.

22 (4) Each district member's representative shall be entitled  
23 to cast one vote.

24 (5) Unless replaced as provided in subdivision (2) of this  
25 subsection, a representative on the governing board shall hold  
26 office until his or her successor is duly appointed. Any  
27 representative may be reappointed to successive terms without  
28 limit.

29 (6) Any vacancy on the board shall be filled within thirty

1 days after such vacancy occurs by appointment of the local  
2 governing body which appointed the representative whose position  
3 has become vacant. An appointee to a vacancy shall serve until  
4 the expiration of the term of the representative whose position  
5 to the appointment was made and may thereafter be reappointed.

6 (7) Each district member may reimburse its representative  
7 to the governing board for expenses as it determines reasonable.

8 (8) (a) The officers of the district shall be the chair  
9 and the vice chair of the board, the clerk of the district, and  
10 the treasurer of the district.

11 (b) The chair shall preside at all meetings of the board  
12 and shall make and sign all contracts on behalf of the district  
13 upon approval by the board. The chair shall perform all duties  
14 incident to the position and office.

15 (c) During the absence of or inability of the chair to  
16 render or perform his or her duties or exercise his or her  
17 powers, the same shall be performed and exercised by the vice  
18 chair and when so acting, the vice chair shall have all the  
19 powers and be subject to all the responsibilities hereby given to  
20 or imposed upon the chair.

21 (d) During the absence or inability of the vice chair to  
22 render or perform his or her duties or exercise his or her  
23 powers, the board shall elect from among its membership an acting  
24 vice chair who shall have the powers and be subject to all the  
25 responsibilities hereby given or imposed upon the vice chair.

26 (e) Upon the death, disability, resignation, or removal of  
27 the chair or vice chair, the board shall elect a successor to  
28 such vacant office until the next annual meeting.

29 (9) The board shall adopt bylaws for the regulation of its

1 affairs and the conduct of its business.

2 8. The board may authorize the inclusion of additional  
3 district members in the broadband infrastructure improvement  
4 district upon such terms and conditions as in the board's sole  
5 discretion shall deem to be fair, reasonable, and in the best  
6 interests of the district. The local governing body of any  
7 nonmember municipality which desires to be admitted to the  
8 district shall make application for admission to the board. The  
9 board shall determine the financial, economic, governance, and  
10 operational effects that are likely to occur if such municipality  
11 is admitted and thereafter either grant or deny authority for  
12 admission of the petitioning municipality. If the board grants  
13 such authority, it shall also specify any terms and conditions,  
14 including financial obligations, upon which such admission is  
15 predicated. Upon resolution of the board, such applicant  
16 municipality shall become a district member.

17 9. A district member may withdraw from the district in the  
18 same manner as the vote for admission to the district set forth  
19 in subsection 8 of this section.

20 10. Dissolution of a broadband infrastructure improvement  
21 district created pursuant to this section shall follow the  
22 procedures established in sections 67.950 and 67.955."; and

23 Further amend the title and enacting clause accordingly.