

SENATE BILL NO. 1199

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

5629S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 227, RSMo, by adding thereto one new section relating to the department of transportation's fiber network.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 227, RSMo, is amended by adding thereto
2 one new section, to be known as section 227.675, to read as
3 follows:

227.675. 1. The provisions of this section shall be
2 known and may be cited as the "Department of Transportation
3 Fiber Network Expansion Act".

4 2. For purposes of this section, the following terms
5 mean:

6 (1) "Commission", the Missouri highways and
7 transportation commission;

8 (2) "Department", the Missouri department of
9 transportation.

10 3. The commission may enter into public-private
11 partnerships with private broadband internet service
12 providers to expand and further develop the department's
13 fiber network.

14 4. The commission shall prioritize expansion and
15 development under this section in unserved areas and
16 underserved areas, as such terms are defined in section
17 620.2450.

18 5. The commission shall use a competitive procurement
19 process to form public-private partnerships under this
20 section. The commission shall publish a public notice of
21 the commission's request for proposals, including any
22 deadline for submission of such proposals, which shall be
23 published once a week for two consecutive weeks in:

24 (1) A newspaper of general circulation in the city
25 where the proposed project is located;

26 (2) At least one technology industry trade publication
27 that is nationally distributed; and

28 (3) Such other publications or manner as the
29 commission may determine.

30 6. The commission shall ensure that at least twenty-
31 five percent of the workforce fulfilling the contracts
32 awarded under this section belongs to a racial minority
33 group, as such term is defined in section 37.013.

34 7. As part of a contract award under this section, the
35 private partnering entity may use the excess fiber capacity
36 to provide internet services as long as the services
37 provided meet the state minimum standard for broadband set
38 by the department of economic development.

39 8. The commission may promulgate any rules to
40 implement the provisions of this section. Any rule or
41 portion of a rule, as that term is defined in section
42 536.010, that is created under the authority delegated in
43 this section shall become effective only if it complies with
44 and is subject to all of the provisions of chapter 536 and,
45 if applicable, section 536.028. This section and chapter
46 536 are nonseverable, and if any of the powers vested with
47 the general assembly pursuant to chapter 536 to review, to
48 delay the effective date, or to disapprove and annul a rule
49 are subsequently held unconstitutional, then the grant of

50 rulemaking authority and any rule proposed or adopted after
51 August 28, 2022, shall be invalid and void.

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