

1-1 By: Nichols, Hinojosa S.B. No. 507  
 1-2 (In the Senate - Filed January 28, 2021; March 9, 2021, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 March 25, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 25, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 507 By: Nichols

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to an accommodation process authorizing the use of state  
 1-22 highway rights-of-way by broadband-only providers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 250, Transportation Code, is amended by  
 1-25 adding Section 250.002 to read as follows:

1-26 Sec. 250.002. RIGHT-OF-WAY ACCOMMODATION FOR  
 1-27 BROADBAND-ONLY PROVIDERS. (a) In this section:

1-28 (1) "Broadband-only provider" means an entity that  
 1-29 exclusively provides broadband service.

1-30 (2) "Broadband service" means Internet service with  
 1-31 the capability of providing:

1-32 (A) a download speed of 25 megabits per second or  
 1-33 faster; and

1-34 (B) an upload speed of three megabits per second  
 1-35 or faster.

1-36 (b) The commission by rule shall:

1-37 (1) on a competitively and technologically neutral and  
 1-38 nondiscriminatory basis with respect to other providers of  
 1-39 broadband service, establish an accommodation process that  
 1-40 authorizes broadband-only providers to use state highway  
 1-41 rights-of-way, subject to highway purposes, for:

1-42 (A) new broadband facility installations;

1-43 (B) additions to or maintenance of existing  
 1-44 broadband facility installations;

1-45 (C) adjustments or relocations of broadband  
 1-46 facilities; and

1-47 (D) existing broadband facilities retained  
 1-48 within the rights-of-way; and

1-49 (2) prescribe minimum requirements for the  
 1-50 accommodation, method, materials, and location for the  
 1-51 installation, adjustment, and maintenance of broadband facilities  
 1-52 under the accommodation process.

1-53 SECTION 2. Not later than the first anniversary of the  
 1-54 effective date of this Act, the Texas Transportation Commission  
 1-55 shall adopt the rules required by Section 250.002, Transportation  
 1-56 Code, as added by this Act.

1-57 SECTION 3. This Act takes effect immediately if it receives  
 1-58 a vote of two-thirds of all the members elected to each house, as  
 1-59 provided by Section 39, Article III, Texas Constitution. If this  
 1-60 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2021.

2-2 \* \* \* \* \*