

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: HB2108

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Byron

3. Committee: Commerce and Labor

4. Title: Virginia Broadband Deployment Act.

5. Summary: Provides that a locality or a locality's affiliate may own and operate a broadband or Internet communications system, including ownership or lease of fiber optic or other communications lines and facilities, to provide broadband expansion services if a variety of conditions are met, including a report or study by an independent consulting firm knowledgeable and experienced in analyzing broadband deployment, such as the Center for Innovative Technology, which report or study specifically identifies any unserved areas. An unserved area is an area in which broadband speeds are not generally available from any provider. The bill defines "broadband speeds" as average Internet speeds of both 10 Mbps or more download and 1 Mbps or more upload. A locality or a locality's affiliate that seeks or desires to provide "overbuild broadband services," shall not do so unless it complies with various operating requirements. The bill defines "overbuild broadband services" as broadband or Internet services offered by a locality or its affiliate in exchange for compensation that do not qualify as internal government services or broadband expansion services. The bill also repeals several disclosure exclusions related to local telecommunications services that currently exist under the Freedom of Information Act (§ 2.2-3700 et seq.).

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary; See Item 8.

8. Fiscal Implications: The proposal is not expected to have a fiscal impact. Under § 56-484.28.1 as proposed, localities or affiliates are responsible for all fees charged by the Center of Innovative Technology (CIT) or independent consulting firm for the preparation of the comprehensive broadband assessment report or study.

9. Specific Agency or Political Subdivisions Affected: Localities statewide (counties, cities and towns) and the Center of Innovative Technology (CIT).

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 13, 2017

File: 2017/EFIS/Posted/HB2108