

State Corporation Commission 2020 Fiscal Impact Statement

1. Bill Number: HB831

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

2. Patron: Carroll Foy

3. Committee: Labor and Commerce

4. Title: Utility easements; location of broadband and other communications facilities.

5. Summary:

Substitute: Introduces a new section, § 55.1-306.1. Utility easements; expansion of broadband. The substitute adds a subsection of definitions; covers what was in the bill as introduced, with edits (e.g. \$2,000 damages cap has been removed, now limited to actual damages; covers written easements and prescriptive easements in more detail); adds new subsections that cover the need for communications provider to have an agreement or occupancy licenses agreement with the incumbent utility; that no telecommunications tower be located in the easement; incumbent utility shall not (i) require additional compensation, unless in a written easement/other agreement, (ii) unreasonably refuse to grant occupancy license agreement, or (iii) create a barrier to broadband deployment; and new subsection P states “The provisions of this section shall be liberally construed.”

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: None on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission

10. Technical Amendment Necessary: No

11. Other Comments: Not at this time.