

FIRST REGULAR SESSION

# SENATE BILL NO. 219

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

0140S.01H

KRISTINA MARTIN, 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 one new section, to be known as section 227.675, to read as follows:

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

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

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

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

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

**4. The commission shall prioritize expansion and development under this section in unserved areas and underserved areas, as such terms are defined in section 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, 2023, shall be invalid and void.

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