

**CHAPTER NO. 413**

**SENATE BILL NO. 2152**

**By Herron**

**Substituted for: House Bill No. 2130**

**By Maddox, Fitzhugh, Hargrove**

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 52, Part 4; Title 40 and Title 67, relative to the creation of the Tennessee Broadband Task Force.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 52, Part 4, is amended by adding the following language:

Section 7-52-408. (a) There is hereby created the Tennessee Broadband Task Force to examine the deployment of broadband in the state including, but not limited to, the following aspects of broadband service: regulation, cost, access to facilities, and market competition.

(b) The task force shall be composed of fourteen (14) members as follows:

- (1) One (1) member from the office of the governor;
- (2) One (1) member of the House of Representatives appointed by the Speaker of the House;
- (3) One (1) member of the Senate appointed by the Speaker of the Senate;
- (4) One (1) member appointed by the governor representing the incumbent local exchange carriers;
- (5) One (1) member appointed by the governor representing the competitive local exchange carrier;
- (6) One (1) member appointed by the governor representing internet service providers;
- (7) One (1) member appointed by the governor representing municipal utilities;
- (8) One (1) member appointed by the chair of the Tennessee Regulatory Authority;
- (9) The comptroller of the treasury or the comptroller's designee;

(10) One (1) member appointed by the governor representing a cellular phone provider;

(11) One (1) member appointed by the governor representing the Tennessee Public Television Council;

(12) One (1) member appointed by the governor representing a cable television provider;

(13) One (1) member appointed by the chair of the Tennessee Emergency Communications Board; and

(14) One (1) member appointed by the governor representing a provider of direct-to-home satellite services.

In making such appointments, the appointing authorities shall strive to ensure that the composition of the task force represents the diversity of persons in Tennessee by considering race, gender, age, and geographical and political interests.

Section 7-52-409. A majority of the members shall constitute a quorum. The speakers of the respective houses each shall appoint a co-chair from the members named to the task force. The task force shall meet quarterly and may meet more often upon a call of the co-chair.

Section 7-52-410. (a) The task force shall prepare a baseline assessment of broadband deployment in Tennessee, and update such assessment as needed. Such assessment shall be submitted to the governor, the Speaker of the Senate, the Speaker of the House of Representatives and the Tennessee Regulatory Authority by January 1, 2006.

(b) The assessment shall include, but not be limited to, the number of digital subscriber lines in Tennessee and their location and use. Comparable information shall also be obtained for broadband deployment through cable systems. Nothing in this act shall require private industries to release proprietary information, including the penetration of customers or customer information.

(c) Telephone utilities and cable service providers shall submit information to the task force as needed to enable the task force to prepare the baseline assessment and updates on broadband deployment.

(d) The staff of the Tennessee Regulatory Authority shall provide such support and services as will aid the task force in completing its study.

Section 7-52-411. The task force shall complete its report by January 1, 2006.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 27, 2005

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 17<sup>th</sup> day of June 2005

  
PHIL BREDESEN, GOVERNOR