



Bill Number: S.B. 1661

Dunn Floor Amendment

Reference to: GOVERNMENT Committee amendment

Amendment drafted by: Anna Nguyen

FLOOR AMENDMENT EXPLANATION

- 1. Specifies, in the definition of authority, that a broadband service district authority is responsible for facilitating broadband deployment and connectivity for only agricultural purposes.**
- 2. Prohibits a broadband authority district from deploying last mile residential broadband.**
- 3. Makes conforming changes.**

DUNN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1661
(Reference to GOVERNMENT Committee amendment)

Amendment instruction key:

[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute or previously enacted session law.
[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.
~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.
<<Double green carets enclosing an entire section>> indicates that the amendment is adding the section to the bill.
~~<<Green strikeout with double green carets enclosing an entire section>>~~ indicates that the amendment is removing the section to the bill.
{[ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS]} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.
{[Orange lowercase underlining in double curly brackets]} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~{[ORANGE UPPERCASE STRIKEOUT IN DOUBLE CURLY BRACKETS]}~~ indicates that the amendment to an amendment is removing new text from statute or previously enacted session law.
~~{[Orange lowercase strikeout in double curly brackets]}~~ indicates that the amendment to an amendment is removing text from existing statute, previously enacted session law or new session law.
<<Double orange underlined carets enclosing an entire section>> indicate that the amendment to an amendment is adding the section to the bill.
~~<<Orange strikeout with double orange underlined carets enclosing an entire section>>~~ indicates that the amendment to an amendment is removing the section from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 11, Arizona Revised Statutes, is amended by adding
3 chapter 15, to read:

4 CHAPTER 15

5 BROADBAND SERVICE DISTRICT AUTHORITIES

6 ARTICLE 1. GENERAL PROVISIONS

7 11-2001. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES[:][,;-]

9 [1.] "AUTHORITY" MEANS A BROADBAND SERVICE DISTRICT AUTHORITY [THAT
10 IS RESPONSIBLE FOR FACILITATING BROADBAND DEPLOYMENT AND CONNECTIVITY]{[FOR
11 AGRICULTURAL PURPOSES]}.

12 2. "BOARD" MEANS THE GOVERNING BODY OF A BROADBAND SERVICE DISTRICT
13 AUTHORITY.

14 3. "BROADBAND SERVICE" MEANS HIGH-SPEED INTERNET ACCESS THAT
15 ENABLES A USER TO TRANSMIT AND RECEIVE DATA, VIDEO AND OTHER DIGITAL
16 COMMUNICATION.

17 4. "DISTRICT" MEANS A DESIGNATED GEOGRAPHIC AREA ESTABLISHED FOR
18 BROADBAND SERVICE IMPROVEMENTS.

19 5. "INFRASTRUCTURE":

20 (a) MEANS COMPONENTS NECESSARY FOR BROADBAND DEPLOYMENT.

(b) INCLUDES TRANSMISSION EQUIPMENT, NETWORK FACILITIES, DATA TRANSPORT SYSTEMS AND RELATED UTILITIES.] 11-2002. Formation of broadband authority district; purpose; funding

~~[A. A BROADBAND SERVICE DISTRICT AUTHORITY MAY BE FORMED AND MAY DO ALL OF THE FOLLOWING:~~

~~1. FACILITATE THE CONSTRUCTION, DEPLOYMENT AND MAINTENANCE OF BROADBAND SERVICE INFRASTRUCTURE.~~

~~2. IDENTIFY AND MANAGE FUNDING OF THE AUTHORITY AND DIRECT AVAILABLE FUNDING TO AREAS WHERE BROADBAND SERVICE IS NEEDED.~~

~~3. SET AND MONITOR PERFORMANCE TARGETS FOR BROADBAND SERVICE, INCLUDING SPEED AND QUALITY METRICS.~~

~~4. CREATE AND RECOMMEND POLICIES TO ACCELERATE DEPLOYMENT OF BROADBAND SERVICE TECHNOLOGY IN UNDERSERVED OR UNSERVED AREAS.~~

~~5. ENTER INTO CONTRACTS WITH PRIVATE ENTITIES.~~

~~6. ACCEPT CHARITABLE DONATIONS.~~

~~7. APPLY FOR GRANTS.~~

~~B. THE AUTHORITY MAY NOT IMPOSE, LEVY, ASSESS OR COLLECT ANY TAX ON ANY PERSON, BUSINESS OR ENTITY.]~~

[A. A GROUP OF INDIVIDUALS, BUSINESSES OR ORGANIZATIONS IN A COUNTY WITH A POPULATION OF MORE THAN TWO HUNDRED THOUSAND PERSONS AND LESS THAN TWO HUNDRED TEN THOUSAND PERSONS MAY PETITION THE COUNTY BOARD OF SUPERVISORS TO FORM A BROADBAND AUTHORITY DISTRICT FOR ANY OF THE FOLLOWING PURPOSES:

1. FACILITATING THE EXPANSION AND MAINTENANCE OF BROADBAND INFRASTRUCTURE.

2. SECURING AND MANAGING FUNDING FOR BROADBAND PROJECTS.

3. ESTABLISHING GUIDELINES AND GOALS FOR BROADBAND PERFORMANCE AND ACCESSIBILITY.

4. SUPPORTING POLICIES AND INITIATIVES THAT PROMOTE BROADBAND DEPLOYMENT.

B. THE DISTRICT MAY RECEIVE FUNDING FROM ONLY EITHER OF THE FOLLOWING:

1. GRANTS FROM GOVERNMENT AGENCIES OR PRIVATE ORGANIZATIONS.

2. SERVICES FEES THAT ARE CHARGED TO THE USERS OF THE BROADBAND SERVICES WHO HAVE ELECTED TO RECEIVE AND USE THE BROADBAND SERVICES AND THAT ARE USED TO MAINTAIN AND OPERATE THE BROADBAND SERVICES.

~~{{C. THE DISTRICT MAY NOT DEPLOY LAST MILE RESIDENTIAL BROADBAND.}}~~

~~{{C-{{D.}}}}~~ THE DISTRICT MAY NOT LEVY ANY NEW TAXES. THE DISTRICT MAY COLLECT AND REMIT APPLICABLE TAXES.

~~{{D-{{E.}}}}~~ A BROADBAND AUTHORITY DISTRICT ORGANIZED UNDER THIS CHAPTER IS A PUBLIC, POLITICAL AND MUNICIPAL CORPORATION TO THE EXTENT OF THE POWERS AND PRIVILEGES CONFERRED BY THIS CHAPTER OR GRANTED GENERALLY TO MUNICIPAL CORPORATIONS BY THE CONSTITUTION AND LAWS OF THIS STATE, INCLUDING IMMUNITY OF ITS PROPERTY AND REVENUE TAXATION.]11-

2003. Formation of the district; application;

notice; hearing

[A. PETITIONERS SEEKING TO FORM A BROADBAND AUTHORITY DISTRICT SHALL SUBMIT AN APPLICATION TO THE BOARD OF SUPERVISORS IN THE COUNTY WHERE THE PROPOSED DISTRICT IS LOCATED. THE APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

1. A DESCRIPTION OF THE PROPOSED DISTRICT BOUNDARIES.

1 2. THE NAMES OF THE PETITIONERS.
2 3. THE METHODOLOGY FOR THE SELECTION OF THE MEMBERS OF THE DISTRICT
3 BOARD.
4 4. THE PROPOSED NAME OF THE DISTRICT.
5 B. THE COUNTY BOARD OF SUPERVISORS SHALL HOLD A PUBLIC HEARING ON
6 THE APPLICATION WITHIN SIX WEEKS AFTER THE SUBMISSION OF THE APPLICATION.
7 NOTICE OF THE PUBLIC HEARING SHALL BE PUBLISHED IN A PUBLICATION OF
8 GENERAL CIRCULATION IN THE COUNTY WHERE THE PROPOSED DISTRICT BOUNDARIES
9 ARE LOCATED AT LEAST TWO WEEKS BEFORE THE PUBLIC HEARING.
10 C. INDIVIDUALS WHO OWN PROPERTY IN THE PROPOSED DISTRICT BOUNDARIES
11 OR OTHER INTERESTED PARTIES MAY JOIN THE PETITION AFTER THE FILING OF THE
12 PETITION AND AT ANY TIME DURING THE BOARD OF SUPERVISORS' CONSIDERATION OF
13 THE PETITION.
14 D. FOLLOWING THE PUBLIC HEARING REQUIRED PURSUANT TO THIS SECTION,
15 THE BOARD OF SUPERVISORS MAY EITHER:
16 1. APPROVE OR DENY THE FORMATION OF THE DISTRICT.
17 2. APPROVE A MODIFICATION OF THE PROPOSED DISTRICT BOUNDARIES.
18 3. APPROVE THE METHODOLOGY FOR SELECTION OF THE DISTRICT BOARD
19 MEMBERS.] 11-2004. Board members; bylaws; qualifications; powers and
20 duties; annual report
21 [A. THE BOARD SHALL CONSIST OF NOT FEWER THAN FIVE AND NOT MORE
22 THAN SEVEN MEMBERS. THE BOARD MEMBERS SHALL REPRESENT INTERESTED
23 STAKEHOLDERS FROM THE DISTRICT. THE BOARD SHALL DO ALL OF THE FOLLOWING:
24 1. ADOPT BYLAWS FOR THE OPERATION OF THE DISTRICT.
25 2. HOLD REGULAR MEETINGS AND MAINTAIN RECORDS OF ALL BOARD
26 DECISIONS.
27 3. ESTABLISH TERMS OF OFFICE AND PROCEDURES FOR SELECTING BOARD
28 MEMBERS.
29 B. THE BOARD SHALL HAVE THE AUTHORITY TO DO ALL OF THE FOLLOWING:
30 1. ENTER INTO CONTRACTS TO FACILITATE BROADBAND INFRASTRUCTURE
31 DEVELOPMENT AND MAINTENANCE.
32 2. MANAGE AND ALLOCATE MONIES FOR DISTRICT PROJECTS.
33 3. ACQUIRE, HOLD AND DISPOSE OF PROPERTY NECESSARY FOR DISTRICT
34 ACTIVITIES.
35 4. REPRESENT THE DISTRICT IN LEGAL MATTERS.
36 5. MONITOR AND REPORT ON THE PERFORMANCE AND IMPACT OF BROADBAND
37 DEPLOYMENT EFFORTS.
38 C. THE BOARD SHALL PREPARE AN ANNUAL REPORT DETAILING THE FINANCIAL
39 ACTIVITIES AND PROGRESS OF THE DISTRICT. THE REPORT SHALL BE DISTRIBUTED
40 TO MEMBERS OF THE DISTRICT AND THE COUNTY BOARD OF SUPERVISORS AT LEAST
41 SIXTY DAYS BEFORE THE BEGINNING OF EACH FISCAL YEAR.]

42 Enroll and engross to conform
43 Amend title to conform

TIMOTHY "TIM" DUNN

1661DUNN0901.docx
03/04/2025
09:01 AM
S: AN/slp