
A BILL FOR AN ACT

RELATING TO BROADBAND SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 103D, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§103D- Net neutrality. (a) All state agencies shall
5 contract internet-related services only with internet service
6 providers that demonstrate and contractually agree to support
7 and practice net neutrality principles where all internet
8 traffic is treated equally.

9 (b) All state agencies shall add contract language and
10 provisions to state procurement requirements that require
11 suppliers of telecommunications, internet, broadband, and data
12 communication services to abide by net neutrality principles.

13 (c) For purposes of this section, "net neutrality
14 principles" means the adherence of internet service providers to
15 the following:

16 (1) Providing access to all lawful content and
17 applications regardless of the source;



- 1 (2) Treating all data fairly without favoring or blocking
- 2 particular products or websites and without hindering,
- 3 throttling, restricting, or prioritizing internet
- 4 content, applications, or certain data streams; and
- 5 (3) Treating all data on the Internet the same and not
- 6 discriminating or charging differently by user,
- 7 content, website, platform, application, service, type
- 8 of attached equipment, method of communication,
- 9 source, or ownership."

10 SECTION 2. Section 440G-11.5, Hawaii Revised Statutes, is
 11 amended by amending subsection (a) to read as follows:

12 "(a) In conjunction with broadband services, the director
 13 shall:

- 14 (1) Promote and encourage use of telework alternatives for
- 15 public and private employees, including appropriate
- 16 policy and legislative initiatives;
- 17 (2) Advise and assist state agencies, and upon request of
- 18 the counties, advise and assist the counties, in
- 19 planning, developing, and administering programs,
- 20 projects, plans, policies, and other activities to



- 1 promote telecommuting by employees of state and county
2 agencies;
- 3 (3) Support the efforts of both public and private
4 entities in Hawaii to enhance or facilitate the
5 deployment of, and access to, competitively priced,
6 advanced electronic communications services, including
7 broadband and its products and services and internet
8 access services of general application throughout
9 Hawaii;
- 10 (4) Make recommendations to establish affordable,
11 accessible broadband services to unserved and
12 underserved areas of Hawaii and monitor advancements
13 in communications that will facilitate this goal;
- 14 (5) Advocate for, and facilitate the development and
15 deployment of, expanded broadband applications,
16 programs, and services, including telework,
17 telehealth, and e-learning, that will bolster the
18 usage of and demand for broadband level
19 telecommunications;
- 20 (6) Serve as a broadband information and applications
21 clearinghouse for the State and a coordination point



1 for federal American Recovery and Reinvestment Act of
2 2009 broadband-related services and programs; [and]
3 (7) Promote, advocate, and facilitate the implementation
4 of the findings and recommendations of the Hawaii
5 broadband task force established by Act 2, First
6 Special Session Laws of Hawaii 2007[-]; and
7 (8) Monitor net neutrality, including broadband and its
8 products and services and internet access services of
9 general application throughout the State."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Broadband Internet Access Service; Protections; Net Neutrality Principles; Broadband

Description:

Codifies the substantive provisions of Executive Order No. 18-02, which requires all state agencies to: contract internet-related services only with internet service providers that demonstrate and contractually agree to support and practice net neutrality principles where all internet traffic is treated equally; and add contract language and provisions to state procurement requirements that suppliers of telecommunications, internet, broadband, and data communication services shall abide by net neutrality principles. Defines "net neutrality principles". Requires DCCA director to monitor net neutrality including broadband and internet access services. Effective 7/1/2050. (SD2)

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