
A BILL FOR AN ACT

RELATING TO TELECOMMUNICATIONS AND CABLE INDUSTRY INFORMATION
REPORTING.

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

1 PART I

2 SECTION 1. Section 206R-1, Hawaii Revised Statutes, is
3 amended by amending the definitions of "broadband
4 infrastructure" and "broadband service" to read as follows:

5 "Broadband infrastructure" [~~shall have the same meaning~~
6 ~~as in section 440J-1.~~] means the medium used to provide
7 broadband service, including fiber optic cable, copper cable,
8 coaxial cable, and wireless media, such as satellite
9 communications, wireless networks, and worldwide
10 interoperability for microwave access.

11 "Broadband service" [~~shall have the same meaning as~~
12 ~~"broadband access or broadband service" in section 440J-1.~~]
13 means an always-on service that includes but is not limited
14 to computer processing capabilities, information provision,
15 and computing interactivity with data transport, which
16 enables end users to access the Internet and use a variety of



1 applications at minimum speeds established by the Federal
2 Communications Commission. "Broadband service" does not
3 include wireless network infrastructure or facilities used to
4 provide wireless services over licensed spectrum."

5 SECTION 2. Section 356D-11.5, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) As used in this section:

8 "Broadband infrastructure" [~~has the same meaning as in~~
9 ~~section 440J-1.~~] means the medium used to provide broadband
10 service, including fiber optic cable, copper cable, coaxial
11 cable, and wireless media, such as satellite communications,
12 wireless networks, and worldwide interoperability for
13 microwave access.

14 "Broadband service" [~~has the same meaning as "broadband~~
15 ~~access or broadband service" in section 440J-1.~~] means an
16 always-on service that includes but is not limited to
17 computer processing capabilities, information provision, and
18 computing interactivity with data transport, which enables
19 end users to access the Internet and use a variety of
20 applications at minimum speeds established by the Federal
21 Communications Commission. "Broadband service" does not



1 include wireless network infrastructure or facilities used to
2 provide wireless services over a licensed spectrum.

3 "State low-income housing project" has the same meaning as
4 in section 356D-51."

5 SECTION 3. Section 481-9.5, Hawaii Revised Statutes, is
6 amended by amending subsection (j) to read as follows:

7 "(j) This section shall not apply to any:

8 (1) Financial institution subject to chapter 412 to the
9 extent that the financial institution is engaged in
10 activities regulated pursuant to chapter 412;

11 (2) Insurer subject to chapter 431, 432, or 432D to the
12 extent that the insurer is engaged in activities
13 regulated pursuant to those chapters;

14 (3) Telecommunications provider subject to chapter 269;
15 and

16 (4) Cable operator subject to chapter 440G [~~or 440J~~] to
17 the extent that the provider is engaged in activities
18 regulated pursuant to [~~these chapters~~] chapter 440G or
19 the Federal Communications Commission."

20 SECTION 4. Chapter 440J, Hawaii Revised Statutes, is
21 repealed.



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PART II

SECTION 5. The department of commerce and consumer affairs shall make available for public inspection all informational reports that providers have previously filed pursuant to chapter 440J, Hawaii Revised Statutes. The informational reports may be made available to the public by posting on the department of commerce and consumer affairs' website. For purposes of this section, "provider" means any cable operator, telecommunications carrier, or telecommunications common carrier that provides broadband service.

PART III

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on January 1, 2050.

Report Title:

Telecommunications and Cable Industry Information Reporting Requirements; Repeal; Broadband; Broadband Service Providers

Description:

Repeals chapter 440J, Hawaii Revised Statutes (HRS), relating to telecommunications and cable industry information reporting requirements for broadband service providers. Amends the definitions of "broadband infrastructure" and "broadband service" under chapter 206R, HRS, relating to the Broadband Infrastructure Grant Program. Amends the definitions of "broadband infrastructure" and "broadband service" under section 356D-11.5, HRS, relating to broadband infrastructure under the Hawaii Public Housing Authority. Requires the Department of Commerce and Consumer Affairs to make available for public inspection all informational reports that providers previously filed pursuant to chapter 440J, HRS. Effective 1/1/2050. (SD2)

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