

114TH CONGRESS
1ST SESSION

S. 597

To amend section 706 of the Telecommunications Act of 1996 to provide that such section does not authorize the Federal Communications Commission to preempt the laws of certain States relating to the regulation of municipal broadband, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2015

Mr. TILLIS introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend section 706 of the Telecommunications Act of 1996 to provide that such section does not authorize the Federal Communications Commission to preempt the laws of certain States relating to the regulation of municipal broadband, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “States’ Rights Munic-
5 ipal Broadband Act of 2015”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that the Federal Commu-
 3 nications Commission does not have the authority under
 4 section 706 of the Telecommunications Act of 1996 (47
 5 U.S.C. 1302) to prevent any State from implementing any
 6 law of such State with respect to the provision of
 7 broadband Internet access service (as defined in section
 8 8.11 of title 47, Code of Federal Regulations) by such
 9 State or a municipality or other political subdivision of
 10 such State.

11 **SEC. 3. PRESERVATION OF STATE MUNICIPAL BROADBAND**
 12 **LAWS.**

13 Section 706 of the Telecommunications Act of 1996
 14 (47 U.S.C. 1302) is amended—

15 (1) by redesignating subsection (d) as sub-
 16 section (e); and

17 (2) by inserting after subsection (c) the fol-
 18 lowing:

19 “(d) PRESERVATION OF STATE MUNICIPAL
 20 BROADBAND LAWS.—Nothing in this section shall be con-
 21 strued as authorizing the Commission to prevent the State
 22 of Alabama, Arkansas, California, Colorado, Florida, Lou-
 23 isiana, Michigan, Minnesota, Missouri, Nebraska, Nevada,
 24 North Carolina, Pennsylvania, South Carolina, Tennessee,
 25 Texas, Utah, Virginia, Washington, or Wisconsin, or any
 26 other State, from implementing any law of such State with

1 respect to the provision of broadband Internet access serv-
2 ice (as defined in section 8.11 of title 47, Code of Federal
3 Regulations) by such State or a municipality or other po-
4 litical subdivision of such State.”.

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