

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3175

By: Phillips

AS INTRODUCED

An Act relating to technology; creating a new title; enacting the Oklahoma Low Income Broadband Assistance Program Act; defining terms; directing the State Broadband Coordinator's Office to establish an Oklahoma Low Income Broadband Assistance Program; directing the State Broadband Coordinator's Office to coordinate with local administrative agencies to determine eligibility; setting income limitations; directing for payment of monthly credit; excluding eligibility for those enrolled in other programs; creating bill payment requirements; authorizing State Broadband Coordinator's Office to adopt rules; providing for noncodification; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

In publishing the decennial Oklahoma Statutes, and the cumulative supplements after July 1, 2022, West Publishing Company shall include in such decennial statutes and supplements a new Title 75A, to be designated "Technology".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1001 of Title 75A, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Oklahoma Low
5 Income Broadband Assistance Program Act".

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1002 of Title 75A, unless there
8 is created a duplication in numbering, reads as follows:

9 As used in this act:

10 1. "Broadband service" means a high speed service connection to
11 the public Internet capable of supporting, in at least one
12 direction, a speed in excess of 200 kilobits per second (Kbps) to
13 the network demarcation point at the subscriber's premises;

14 2. "Office" means the State Broadband Coordinator's Office;

15 3. "Economic unit" means all adult individuals contributing to
16 and sharing in the income and expenses of a household;

17 4. "Family" or "household" means any individual or group of
18 individuals who live together at the same address as one economic
19 unit; and

20 5. "Federal poverty level" means the poverty guidelines updated
21 periodically in the Federal Register by the U.S. Department of
22 Health and Human Services. These guidelines set poverty levels by
23 family size.

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1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1003 of Title 75A, unless there
3 is created a duplication in numbering, reads as follows:

4 The State Broadband Coordinator's Office shall establish an
5 Oklahoma Low Income Broadband Assistance Program to ensure the
6 availability and affordability of broadband service to low-income
7 families. The Office shall coordinate with local administrative
8 agencies to determine eligibility for the Program; provided that
9 eligible income shall be no more than one hundred fifty percent
10 (150%) of the federal poverty level.

11 SECTION 5. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1004 of Title 75A, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Families whose annual household income is at or below one
15 hundred thirty-five percent (135%) of the federal poverty level
16 shall be eligible for free broadband service.

17 B. A credit of at least Nine Dollars and ninety-five cents
18 (\$9.95) a month for broadband services shall be payable monthly to:

19 1. Families whose annual household income is above one hundred
20 thirty-five percent (135%) of the federal poverty level but no
21 greater than one hundred fifty percent (150%) of the federal poverty
22 level; and
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1 2. Families that include at least one adult person or dependent
2 child who qualifies for or received benefits under one of the
3 following programs:

- 4 a. Supplemental Nutrition Assistance Program,
- 5 b. Supplemental Security Income program,
- 6 c. Veterans Pension and Survivors Benefits Programs,
- 7 d. Federal Public Housing Assistance Program,
- 8 e. Tribal Programs for Native Americans, or
- 9 f. National School Lunch Program.

10 Credit amounts provided under this subsection may be adjusted
11 according to family size as prescribed by the State Broadband
12 Coordinator's Office.

13 C. Families who receive a discount for broadband service under
14 the federal Lifeline program or any other state Internet service
15 subsidy program shall not be eligible to participate in the Oklahoma
16 Low Income Broadband Assistance Program if they elect to remain
17 enrolled in the aforementioned programs.

18 SECTION 6. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1005 of Title 75A, unless there
20 is created a duplication in numbering, reads as follows:

21 To be eligible for free broadband service or a monthly credit
22 for broadband service under this act, an applicant must provide
23 proof of eligibility in the form and manner prescribed by the State
24 Broadband Coordinator's Office.

1 SECTION 7. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 1006 of Title 75A, unless there
3 is created a duplication in numbering, reads as follows:

4 A. For each family enrolled in the Oklahoma Low Income
5 Broadband Assistance Program, the State Broadband Coordinator's
6 Office shall remit, through the local administrative agencies, to
7 the broadband service provider that portion of the family's bill
8 that is not the responsibility of the family. For purposes of this
9 section, payment is due on the date specified on the family's bill.
10 The Office, Oklahoma Tax Commission, and local administrative
11 agencies shall adopt processes that provide for the timely payment
12 required by this section.

13 B. Each family that receives a credit for broadband service
14 under subsection B of Section 5 of this act is responsible for all
15 actual charges for broadband service in excess of the credit
16 provided under subsection B of Section 5 of this act. The Office
17 may terminate a program participant's eligibility for the credit
18 available under subsection B of Section 5 of this act upon
19 notification by the broadband service provider that the
20 participant's monthly service payment is more than forty-five (45)
21 days past due.

22 SECTION 8. NEW LAW A new section of law to be codified

23 in the Oklahoma Statutes as Section 1007 of Title 75A, unless there
24 is created a duplication in numbering, reads as follows:

1 The State Broadband Coordinator's Office may adopt any rules
2 necessary to implement the provisions of this act.

3 SECTION 9. This act shall become effective November 1, 2022.
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