

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 60th Legislature (2026)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2293

By: Hilbert of the House

and

Seifried of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Broadband Office;
12 amending Section 3, Chapter 229, O.S.L. 2022 (74 O.S.
13 Supp. 2025, Section 9202), which relates to the
14 Broadband Governing Board; extending date of
15 termination of Board; amending 17 O.S. 2021, Section
16 139.202, as amended by Section 4, Chapter 229, O.S.L.
17 2022, and as renumbered by Section 13, Chapter 229,
18 O.S.L. 2022 (74 O.S. Supp. 2025, Section 9203), which
19 relates to the Oklahoma Broadband Council; extending
20 date of termination of Council; amending Section 5,
21 Chapter 229, O.S.L. 2022, as amended by Section 1,
22 Chapter 336, O.S.L. 2023 (74 O.S. Supp. 2025, Section
23 9204), which relates to Oklahoma Broadband Office;
24 extending date of termination of Office; amending
 Section 6, Chapter 229, O.S.L. 2022 (74 O.S. Supp.
 2025, Section 9205), which relates to duties and
 authority of the Oklahoma Broadband Office; extending
 date of certain goal; and providing an effective
 date.

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

SECTION 1. AMENDATORY Section 3, Chapter 229, O.S.L.

2022 (74 O.S. Supp. 2025, Section 9202), is amended to read as follows:

Section 9202. A. 1. There is hereby created until ~~June 30, 2028~~ December 31, 2030, the Broadband Governing Board. The Board shall oversee the Oklahoma Broadband Office. Effective ~~June 30, 2028~~ December 31, 2030, the Board shall terminate. The Board shall utilize the year prior to the termination date for the purpose of ceasing the Board's affairs.

2. The Board shall receive regular reports from the Office's Executive Director and the Executive Director's staff on the status of the Statewide Broadband Plan, the State Broadband Grant Program, other developed grant programs, and other projects the Office is undertaking, during regularly scheduled meetings.

B. The Board shall consist of nine (9) members. Two members shall be appointed by the Speaker of the Oklahoma House of Representatives, two members shall be appointed by the President Pro Tempore of the Oklahoma State Senate, three members shall be appointed by the Governor, one member shall be the Lieutenant Governor, and one member shall be the State Treasurer. Except as provided in subsection C of this section, appointees shall serve until ~~June 30, 2028~~ December 31, 2030. No individual with an official affiliation, paid or unpaid, with any potential recipient

1 of a grant administered under the provisions of this act, shall be
2 appointed to or serve on the Board.

3 C. Each appointee shall serve at the pleasure of his or her
4 appointing authority and may be removed or replaced without cause.

5 D. 1. The Board shall hold an organizational meeting not later
6 than thirty (30) days from the effective date of this act. At such
7 meeting, the Board shall adopt qualifications and a salary range for
8 an Executive Director for the Oklahoma Broadband Office based on the
9 recommendations of the Human Capital Management Division of the
10 Office of Management and Enterprise Services, and provide for the
11 process of filling the position in a reasonable time in accordance
12 with the laws of this state.

13 2. The Board shall hold meetings as necessary at a place and
14 time to be fixed by the Board. The Board shall elect, at its first
15 meeting, one of its members to serve as chair and another of its
16 members to serve as vice-chair. At the first meeting in each
17 calendar year thereafter, the chair and vice-chair for the ensuing
18 year shall be elected. Special meetings may be called by the chair
19 or by five members of the Board by delivery of written notice to
20 each member of the Board. A majority of members serving on the
21 Board shall constitute a quorum of the Board.

22 E. If a Board member is unable to fulfill his or her term for
23 any reason, the appointing authority of such member may appoint a
24 replacement to complete the remainder of the term.

1 F. The Board shall be subject to the Oklahoma Open Meeting Act
2 and the Oklahoma Open Records Act.

3 G. The Board shall employ, evaluate, and maintain an Executive
4 Director of the Office who shall serve at the pleasure of the Board
5 and may be removed or replaced without cause.

6 H. The Board shall promulgate rules as necessary to implement
7 the provisions of the Oklahoma Broadband Expansion Act and for the
8 governance and operation of the Oklahoma Broadband Office.

9 I. The Board shall approve or disapprove all grant and
10 incentive programs created by the Office under the provisions of
11 this act or under law.

12 J. The Board shall oversee the annual budget for the Office,
13 which shall be funded from the allowed administrative expenses of
14 applicable federal programs and funds available for expenditure from
15 the State Broadband Grant Program Revolving Fund created pursuant to
16 ~~Section 10 of this act~~ 9209 of this title.

17 K. The Board shall approve the Statewide Broadband Plan and
18 updates to the Plan as necessary.

19 SECTION 2. AMENDATORY 17 O.S. 2021, Section 139.202, as
20 amended by Section 4, Chapter 229, O.S.L. 2022, and as renumbered by
21 Section 13, Chapter 229, O.S.L. 2022 (74 O.S. Supp. 2025, Section
22 9203), is amended to read as follows:

23 Section 9203. A. There is hereby created, until ~~June 30, 2028~~
24 December 31, 2030, the Broadband Expansion Council. Effective ~~June~~

1 ~~30, 2028~~ December 31, 2030, the Council shall terminate. The
2 Council shall utilize the year prior to the termination date for the
3 purpose of ceasing the Council's affairs.

4 B. The Council shall consist of fourteen (14) persons to be
5 selected as follows:

6 1. Three members shall be appointed by the Governor, one of
7 whom shall be the individual serving as the Executive Director of
8 the Oklahoma Broadband Office, one of whom shall be a current or
9 past mayor of a municipality having a population of less than
10 thirty-five thousand (35,000) persons according to the latest
11 Federal Decennial Census or most recent population estimate and
12 which is not part of either the Oklahoma City or Tulsa Metropolitan
13 Statistical Areas, and one of whom shall be a resident of this state
14 and a wireless Internet service provider (WISP);

15 2. Five members shall be appointed by the Speaker of the
16 Oklahoma House of Representatives, one of whom shall represent the
17 interests of rural Internet service providers, one of whom shall be
18 a private sector technology professional with expertise in broadband
19 connectivity, access, price and related economic factors, one of
20 whom shall represent the interests of rural health care, one of whom
21 shall be a representative of a wireless telecommunications provider
22 not affiliated with an incumbent local exchange carrier in Oklahoma
23 and one who shall be a representative of a wireless
24

1 telecommunications provider with operations in Oklahoma and at least
2 twenty-four other states;

3 3. Five members shall be appointed by the President Pro Tempore
4 of the Oklahoma State Senate, one of whom shall be a professional
5 having academic expertise in large-scale information technology
6 infrastructure with emphasis on rural broadband access, one of whom
7 shall represent the interests of rural business enterprises, one of
8 whom shall be a citizen from a community of less than fifty thousand
9 (50,000) persons which is not part of either the Oklahoma City or
10 Tulsa Metropolitan Statistical Areas, one of whom shall be a rural
11 electric cooperative representative and one who shall be an Oklahoma
12 resident and Tribal Leader of a tribe recognized in this state; and

13 4. One nonvoting member to be selected by the Oklahoma
14 Corporation Commission who has expertise in administration of the
15 Universal Service Fund, but who is not an elected member of the
16 Commission.

17 C. A quorum of the membership of the Council shall be necessary
18 in order to take any final action pursuant to the provisions of this
19 act.

20 D. The Council shall be subject to the Oklahoma Open Meeting
21 Act and the Oklahoma Open Records Act.

22 E. The Council shall serve as the advisory board to the
23 Oklahoma Broadband Office.
24

1 F. The Council shall advise the Office in developing and
2 continually monitoring the Office's Plan related to:

3 1. Identifying geographic areas to be utilized in developing
4 the Office's policies for establishing or improving broadband access
5 in the state pursuant to the Oklahoma Broadband Expansion Act;

6 2. Assessing the financial viability of broadband service
7 providers so that a broadband network is adequately supported in its
8 operations, that needed repairs and upgrades can be undertaken on a
9 timely basis and that the goal of having a quality long-term
10 broadband service delivery system across the state is achieved and
11 maintained;

12 3. Maintaining the viability of the Oklahoma Universal Service
13 Fund and give consideration to whether similar universal funds
14 should be implemented in order to facilitate broadband expansion and
15 operational costs for underserved areas; and

16 4. Preventing duplication of facilities and investment when the
17 Office makes grant recommendations. With the input of the Council,
18 the Oklahoma Broadband Office shall establish objective standards in
19 order to determine whether the construction of broadband access
20 constitutes duplication of facilities and investment and also the
21 role of any recommended incentives that would benefit entities in
22 the private sector so that public resources are effectively utilized
23 and that duplication of efforts is avoided.

1 G. The Council shall receive administrative support from the
2 Oklahoma Broadband Office.

3 SECTION 3. AMENDATORY Section 5, Chapter 229, O.S.L.
4 2022, as amended by Section 1, Chapter 336, O.S.L. 2023 (74 O.S.
5 Supp. 2025, Section 9204), is amended to read as follows:

6 Section 9204. A. There is hereby created until ~~June 30, 2028~~
7 December 31, 2030, the Oklahoma Broadband Office, to serve as the
8 state's sole administrator of the functions, powers, and duties
9 assigned to the Office in the Oklahoma Broadband Expansion Act or
10 under law. Effective ~~June 30, 2028~~ December 31, 2030, the Office
11 shall terminate and all personnel positions shall be abolished. The
12 Office shall utilize the year prior to the termination date for the
13 purpose of ceasing the Office's affairs.

14 B. The Office shall receive administrative assistance from the
15 Office of Management and Enterprise Services (OMES), which shall
16 provide, through existing OMES resources, administrative assistance
17 upon request in writing or electronic correspondence from the
18 Office's Executive Director. OMES shall provide assistance in the
19 manner requested within thirty (30) days of determination by the
20 Agency that the request is able to be fulfilled. If for any reason
21 the request cannot be fulfilled within thirty (30) days, the Office
22 and OMES shall enter into a written agreement expressing an agreed
23 upon timeline for fulfilling the needs of the Office. In the event
24 that the request cannot be fulfilled, OMES shall respond in writing

1 within ten (10) days of the request providing the reasoning for
2 denial. If the request cannot be fulfilled utilizing existing
3 resources, OMES may charge the Office for the actual cost to fulfill
4 the request.

5 C. The Office shall be governed by the Broadband Governing
6 Board, created pursuant to Section 9202 of this title.

7 D. The Office shall be advised by the Broadband Expansion
8 Council, created pursuant to Section 9203 of this title.

9 E. The Office shall have an Executive Director who shall
10 oversee the operations of the Office including, but not limited to:

11 1. Overseeing the creation, maintenance, and completion of the
12 Statewide Broadband Plan;

13 2. Communicating the state's progress in achieving the goals
14 and implementation of the Statewide Broadband Plan;

15 3. The creation, housing, and updating of a statewide broadband
16 services map;

17 4. Overseeing of grant applications and awards for connectivity
18 and affordability projects;

19 5. Making recommendations to the Board regarding procedural and
20 administrative rules for the Office; and

21 6. Employment and management of Office staff subject to the
22 limitations and requirements of the Oklahoma Broadband Expansion Act
23 and subject to the limitations and requirements of the Broadband
24 Governing Board.

1 F. The Executive Director shall regularly report to the Council
2 and the Board and shall submit an annual report to the Office of the
3 Speaker of the House of Representatives and the Office of the
4 President Pro Tempore of the Senate.

5 G. The Office may hire legal counsel as it is deemed necessary
6 by the hiring entity. The Office shall be subject to the provisions
7 of Section 20i of this title.

8 SECTION 4. AMENDATORY Section 6, Chapter 229, O.S.L.
9 2022 (74 O.S. Supp. 2025, Section 9205), is amended to read as
10 follows:

11 Section 9205. A. The Oklahoma Broadband Office shall:

12 1. Conduct a study of and continually monitor broadband access
13 in the state to assess:

- 14 a. existing capabilities to access broadband
- 15 telecommunication services,
- 16 b. the costs of obtaining broadband services from
- 17 existing providers,
- 18 c. the estimated cost to improve broadband access, and
- 19 d. the likelihood of changes in broadband access in the
- 20 near and intermediate future based on available
- 21 information regarding public and private programs to
- 22 enhance access and adoption; and

23 2. Maintain, update, and execute the Statewide Broadband Plan
24 as necessary.

1 B. The Office shall incorporate the information as described in
2 subsection A of this section into a mapping system that depicts
3 resources, broadband coverage, connectivity speeds, and other such
4 features as the Office deems relevant. The Office may also purchase
5 data sets it deems necessary to complete such mapping system.

6 C. The Office shall establish policies and regulations as may
7 be necessary to implement the provisions of this act.

8 D. The Office shall establish policy as needed to implement a
9 process whereby impacted parties may challenge or protest data and
10 information published on the Office's mapping system. The process
11 shall include, but not be limited to, features that:

12 1. Are heard and ruled on at the Office level;

13 2. Provide for a ruling by the Office within sixty (60) days of
14 the submitted challenge or protest; and

15 3. Upon successful protest action, result in a timely
16 correction of the map.

17 E. The Office shall perform and maintain a study of existing
18 grants, incentives, and programs that may improve physical access to
19 broadband along with adoption of broadband technologies. The
20 grants, incentives, and programs may include federal funds, state
21 funds or resources, tribal funds or resources, donated funds, or
22 funding available from foundations, endowments or similar resources,
23 state or local tax incentives, state or local financing incentives
24 or options, or federal, tribal, state or local regulatory policies

1 that would be conducive to improving existing broadband access or
2 establishing access where it does not currently exist. The Office
3 shall regularly report on the currently available grants,
4 incentives, and programs and how best to utilize each.

5 F. The Office shall create, and update no less than biannually,
6 a Statewide Broadband Plan. The Plan shall detail what areas are
7 served, underserved, or unserved according to the prevailing
8 definitions of the FCC, and how best to improve the infrastructure
9 and connectivity in underserved and unserved areas. The Plan shall
10 include, but shall not be limited to, detailing a pathway for
11 ninety-five percent (95%) of the state's population to be adequately
12 served by ~~June 30, 2028~~ December 31, 2030.

13 G. The Office shall create the Capital Projects Fund Grant
14 Report or provide the necessary information to the state entity
15 drafting the Report. The Report shall be submitted to the
16 Department of the Treasury no later than September 24, 2022. The
17 Office shall maintain the Report and submit any and all additional
18 information as required. The Office shall work with the Joint
19 Committee to ensure all approved broadband projects utilizing funds
20 from the Capital Projects Fund follow the correct reporting
21 requirements based on Department of Treasury guidance.

22 H. Additionally, the Office is authorized to seek, apply for,
23 and administer funding through grant opportunities. The Office is
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1 also authorized to administer grant funding awards to recipients and
2 subrecipients.

3 I. On or before October 31, 2022, the Office, with the advice
4 of the Council, shall develop a set of broadband grants or incentive
5 awards guidelines to be approved by the Board. The grants and
6 incentive awards shall be for unserved and underserved areas. The
7 Office shall submit a copy of the guidelines to the Office of the
8 Speaker of the Oklahoma House of Representatives, the Office of the
9 President Pro Tempore of the Oklahoma State Senate, and to the
10 offices of the chairs of the appropriate legislative committees.

11 The guidelines shall:

12 1. Consider a weighted approach for awards based upon the
13 following:

- 14 a. the area's need for services, including, but not
15 limited to, whether the area is underserved or
16 unserved,
- 17 b. whether there are existing broadband assets in the
18 area, based on the statewide map,
- 19 c. whether existing federal, state, local, tribal, or
20 private resources have been allocated to broadband
21 services in the area,
- 22 d. a preference for federal, state, local, tribal, or
23 private partnerships, and
24

1 e. the capacity of the provider to maintain assets for an
2 extended period of time;

3 2. Recommend any necessary controls including, but not limited
4 to, capping the dollar amount of awards, allowing for an auditing
5 process, and a process that allows for award clawbacks. These
6 controls shall be in place to ensure the maximum efficiency of the
7 incentive award and to protect against waste, fraud, or abuse; and

8 3. Include annual reporting requirements of award recipients to
9 assess effectiveness of such incentives which shall include, but not
10 be limited to, changes in coverage resulting from implementing
11 awarded grants and incentives.

12 SECTION 5. This act shall become effective November 1, 2026.

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14 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT
15 OVERSIGHT, dated 02/25/2026 - DO PASS, As Amended and Coauthored.
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