HB 2702

Introduced by
Representatives Andrade: Hernandez M, Powers Hannley, Solorio

AN ACT

REPEALING SECTION 40-212, ARIZONA REVISED STATUTES; AMENDING TITLE 40, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 40-212; RELATING TO THE CORPORATION COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Repeal
Section 40-212, Arizona Revised Statutes, is repealed.
Sec. 2. Title 40, chapter 2, article 1, Arizona Revised Statutes, is amended by adding a new section 40-212, to read:

40-212. Broadband and voice over internet protocol services; evaluations; audits; reports; definitions

A. The Commission shall oversee broadband service and voice over internet protocol service. The Commission shall adopt rules necessary to implement the oversight of broadband service and voice over internet protocol service in this state, including rules:

1. To ensure the resiliency and reliability of broadband infrastructure and to require internet service providers to submit information related to network reliability, including outage reporting.

2. To ensure the public safety and adequacy of networks by exercising oversight of internet service providers' emergency preparedness and plans for postemergency network restoration, including establishing minimum power backup requirements and requiring all internet service providers to maintain networks sufficiently to ensure reliable and safe communications services.

3. To require internet service providers to report data on the deployment and availability, pricing and adoption of broadband service and voice over internet protocol service.

B. The Commission shall conduct evaluations and audits of facilities and infrastructure used to provide high-speed internet service and evaluate facilities and infrastructure relating to areas of public safety, resiliency, broadband and any other factors that the Commission deems relevant to achieving the goals of resiliency, quality and public safety of broadband service as well as the overall goals of universal access and affordability of broadband service.

C. The Commission shall report annually to the legislature on the Commission's progress towards achieving the goals of resiliency, quality and public safety of broadband service and voice over internet protocol service.

D. For the purposes of this section:

1. "Broadband service":
   (a) Means a mass-market retail service that provides the capability to transmit data to and receive data from all or substantially all internet endpoints.
   (b) Includes any capabilities that are incidental to and that enable the operation of the communications service.
   (c) Does not include dial-up service.
2. "INTERNET SERVICE PROVIDER" MEANS ANY PERSON, BUSINESS OR ORGANIZATION THAT IS QUALIFIED TO DO BUSINESS IN THIS STATE AND THAT PROVIDES INDIVIDUALS, CORPORATIONS OR OTHER ENTITIES WITH THE ABILITY TO CONNECT TO THE INTERNET WITH A BROADBAND SERVICE.

3. "VOICE OVER INTERNET PROTOCOL SERVICE" MEANS A SERVICE THAT:
   (a) ENABLES REAL-TIME, TWO-WAY VOICE COMMUNICATION.
   (b) REQUIRES A BROADBAND CONNECTION FROM THE USER'S LOCATION.
   (c) REQUIRES INTERNET PROTOCOL-COMPATIBLE CUSTOMER PREMISES EQUIPMENT.
   (d) ALLOWS USERS GENERALLY TO BOTH:
       (i) RECEIVE CALLS THAT ORIGINATE ON THE PUBLIC SWITCHED TELEPHONE NETWORK.
       (ii) TERMINATE CALLS TO THE PUBLIC SWITCHED TELEPHONE NETWORK.