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An act relating to communications.



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LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, Wiener.
General Subject: Broadband Internet access service.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Pursuant to its existing authority, the commission supervises administration of the state's telecommunications universal service programs. The Digital Infrastructure and Video Competition Act of 2006 establishes a procedure for the issuance of state franchises for the provision of video service, defined to include cable service and open-video systems, administered by the commission.

The bill would state the intent of the Legislature to enact legislation to effectuate net neutrality in California utilizing the state's regulatory powers and to prevent Internet service providers from engaging in practices inconsistent with net neutrality, including through 4 described means.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to enact legislation to effectuate net neutrality in California utilizing the state's regulatory powers and to prevent Internet service providers from engaging in practices inconsistent with net neutrality, including, without limitation, by means of each of the following:

- (a) Using the state's market influence as a purchaser of Internet and telecommunications services to effectuate net neutrality.
- (b) Strengthening the state's consumer protection and deceptive and unfair business practice laws to effectuate net neutrality.
- (c) Conditioning issuance or renewal of a state franchise pursuant to the Digital Infrastructure and Video Competition Act of 2006 (Division 2.5 (commencing with Section 5800) of the Public Utilities Code), and use of the public rights-of-way for Internet infrastructure, on adherence to net neutrality, and on promotion of the availability of municipal broadband.
- (d) Conditioning any state-granted right to attach small cell or other broadband wireless communications devices to utility poles on adherence to net neutrality.

