

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: H3/17/11 H3/24/11 S3/28/11

2 88th General Assembly

# A Bill

3 Regular Session, 2011

HOUSE BILL 2033

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5 By: Representatives Vines, Barnett, Rice, Eubanks, Wren

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## For An Act To Be Entitled

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AN ACT TO AMEND THE TELECOMMUNICATIONS REGULATORY

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REFORM ACT OF 1997; AND FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND THE TELECOMMUNICATIONS

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REGULATORY REFORM ACT OF 1997

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code § 23-17-409(b), concerning the authorization  
20 of competing local exchange carriers in the Telecommunications Regulatory  
21 Reform Act of 1997, is amended to read as follows:

22 (b)(1) A Except as provided in subdivision (b) of this section, a  
23 government entity may not provide, directly or indirectly, basic local  
24 exchange, voice, data, broadband, video, or wireless telecommunication  
25 service.

26 (2) After reasonable notice to the public and a public hearing,  
27 a governmental entity owning an electric utility system or television signal  
28 distribution system may provide, directly or indirectly, voice, data,  
29 broadband, video, or wireless telecommunications service, and make any  
30 telecommunications capacity or associated facilities that it now owns, or may  
31 hereafter construct or acquire, available to the public upon terms and  
32 conditions as may be established by its governing authority, except the  
33 government entity may not use the telecommunications capacity or facilities  
34 to provide, directly or indirectly, basic local exchange service.

35 (3) Any restriction contained in this subsection shall not  
36 be applicable to the provision of telecommunications services or



1 facilities to the extent used solely for 911, E911, other *emergency and law*  
2 *enforcement services, educational or medical purposes, or for the provision*  
3 *of data, broadband, or non-entertainment video telecommunications services or*  
4 *facilities by an educational or to a medical institution or institution of*  
5 *higher education to its students, faculty, staff, or patients, as the*  
6 *provision relates to academic, research, and healthcare information*  
7 *technology applications under the Arkansas Information Systems Act of 1997, §*  
8 *25-4-101 et seq.*

9 *(4) This section does not prohibit a governmental entity from*  
10 *purchasing voice, data, broadband, video, or wireless telecommunications*  
11 *services directly or indirectly from a private provider through a contract*  
12 *administered and services managed by the Department of Information Systems*  
13 *under the Arkansas Information Systems Act of 1997, § 25-4-101 et seq.*

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15 /s/Vines  
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