HOUSE DOCKET, NO. 902 FILED ON: 1/13/2025

# HOUSE . . . . . No. 75

## The Commonwealth of Massachusetts

PRESENTED BY:

***Kip A. Diggs***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act related to the resiliency, public safety and quality of broadband in Massachusetts.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Kip A. Diggs* | *2nd Barnstable* | *1/13/2025* |
| *Hadley Luddy* | *4th Barnstable* | *1/15/2025* |

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# HOUSE . . . . . No. 75

By Representative Diggs of Barnstable, a petition (accompanied by bill, House, No. 75) of Kip A. Diggs and Hadley Luddy relative to broadband high-speed internet access. Advanced Information Technology, the Internet and Cybersecurity.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3780* OF 2023-2024.]

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court**
**(2025-2026)**

An Act related to the resiliency, public safety and quality of broadband in Massachusetts.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The general court hereby finds and declares that: (i) access to high-speed broadband is a necessity and essential to participation in the economy, education and civic life; (ii) closing gaps in broadband availability is a matter of deployment, affordability and ensuring networks are resilient, high quality and facilitate public safety; (iii) because VoIP has replaced traditional voice telephone service for a large segment of the population, ensuring its reliability is in the public interest and consistent with public safety goals; and (iv) state regulators require unambiguous authority and a clear mandate to establish and enforce appropriate oversight and regulation of broadband and VoIP in order to meet the commonwealth's goals of universal, high-quality and affordable access.

10 SECTION 2. Chapter 25C of the General Laws, as appearing in the 2020 Official
11 Edition, is hereby amended by adding the following section:

12 Section 10. (a) For the purposes of this section the following terms shall, unless the
13 context clearly requires otherwise, have the following meanings:

14 “Broadband”, high-speed internet access, including wireless internet access, and as may
15 be further defined by the department.

16 “Internet service provider”, any person, business or organization qualified to do business
17 in the commonwealth that provides individuals, corporations or other entities with the ability to
18 connect to the internet with a broadband service.

19 "Voiceover Internet Protocol" or “VoIP”, as defined in section 6A.

20 (b) Notwithstanding subsection (h) of section 2 of chapter 23A, section 6A or section 6B
21 of chapter 40J or any other general or special law to the contrary, the department shall have
22 ultimate jurisdiction over all standards, infrastructure and oversight related to broadband and
23 VoIP services in the commonwealth.

24 (c) The department shall promulgate rules and regulations necessary to implement
25 effective oversight of the quality, reliability and resiliency of broadband and VoIP service,
26 including regulations regarding:

27 (1) standards to ensure the resiliency and reliability of broadband infrastructure;

28 (2) reporting requirements for internet service providers for information related to
29 network reliability, including outage reporting requirements and requirements for reporting from
30 independent sources;

31 (3) maintenance requirements for internet service providers to ensure reliable, safe and
32 adequate services, and to assess the adequacy of broadband service providers' plans for
33 emergency preparedness post-emergency network restoration;

34 (4) minimum power back-up requirements; and

35 (5) data collection, including the deployment, availability, pricing and adoption of VoIP
36 and broadband service.

37 (e) Based on complaints received or data collected from internet service providers, the
38 department may conduct evaluations and audits of an internet service provider's facilities and
39 infrastructure used to provide broadband or VoIP services in regards to service quality, public
40 safety or network resiliency.

41 (f) If the department finds, after a hearing upon its own motion or upon complaint, that
42 the practices, facilities or service of any broadband service provider common carrier are unjust,
43 unreasonable, unsafe, improper or inadequate to ensure network reliability, resiliency and public
44 safety, in that they fail to meet the standards and requirements established by the department, the
45 department may order the internet service provider to undertake remedial actions.

46 (g) Annually, on or before June 30, the department shall submit a report to the clerks of
47 the house of representatives and the senate and the joint committee on telecommunications,
48 utilities and energy, on the progress made towards achieving improved resiliency, public safety
49 and quality of broadband and VoIP service.

50 (h) An internet service provider shall provide customers of its broadband or VoIP
51 services with a pro rata refund or credit of $10, whichever is greater, for each incident of an

52 outage or service interruption that: (i) has a duration of 3 minutes or longer; and (ii) is not the
53 result of customer or third-party error.

54 (i) An internet service provider that provides broadband services shall display, at the
55 point of sale, a broadband consumer label containing information to inform customers and
56 potential customers about the provider's service offerings. The broadband consumer label shall
57 contain information about: (i) pricing, including monthly pricing, introductory rates, contract
58 plans and additional charges and fees; (ii) performance and quality information, including
59 broadband speed, peak usage data and packet loss; (iii) network management practices; (iv) data
60 allowances; (v) privacy policies; and (vi) any other information that the department determines
61 to be necessary. The department shall promulgate regulations regarding the broadband consumer
62 label's format, content and display, which shall not be inconsistent with rules and regulations
63 promulgated by the Federal Communications Commission.

64 (j) The department shall promulgate regulations necessary to implement this section.