

SB2603



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2603

Introduced 10/18/2023, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

220 ILCS 5/17-1000 new

Amends the Electric Cooperatives And Municipal Systems Article of the Public Utilities Act. Allows an electric cooperative organized to provided rural electric power to provide broadband service by using an easement owned, held, or used by the electric cooperative. Requires the electric cooperative to provide notice to the property owner on which the easement is located 3 months prior to beginning construction on the easement that the electric cooperative intends to use the easement for broadband purposes.

LRB103 33306 LNS 63116 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by adding
5 Section 17-1000 as follows:

6 (220 ILCS 5/17-1000 new)

7 Sec. 17-1000. Rural electric cooperatives providing
8 broadband services using easements.

9 (a) The General Assembly finds that:

10 (1) a goal of the State is to make available to its
11 citizens affordable, reliable, and state-of-the-art
12 Internet communications through the expansion, extension,
13 and general availability of broadband services and
14 technology, and to encourage the adoption of broadband by
15 all citizens;

16 (2) although broadband access has been extended to
17 many urban areas of the State, many rural areas remain
18 unserved; and

19 (3) fair and equitable access to 21st century
20 technology is essential to job retention and economic
21 growth opportunities.

22 (b) As used in this Section:

23 "Broadband infrastructure" means networks of deployed

1 telecommunications equipment and technologies necessary to
2 provide high-speed Internet access and other advanced
3 telecommunications services for end users.

4 "Broadband service" means any service that provides
5 advanced telecommunications capability and Internet access.

6 (c) An electric cooperative organized to provide rural
7 electric power may, on behalf of itself, its subsidiary, or a
8 business partner, provide broadband service by using an
9 easement owned, held, or used by the electric cooperative. An
10 existing easement does not limit the type, size, or amount of
11 broadband infrastructure that may be used to provide broadband
12 services, nor is an electric cooperative required to obtain
13 additional easements or pay additional compensation to a
14 property owner who is a party to an existing easement
15 agreement in order to provide broadband services.

16 (d) To exercise the rights granted under this Section, the
17 electric cooperative must provide notice to the property owner
18 on which the easement is located 3 months prior to beginning
19 construction on the easement that the electric cooperative
20 intends to use the easement for broadband purposes. The notice
21 must be sent by certified mail to the last known address of the
22 property owner of the property on which the easement is
23 located. The notice must include:

24 (1) the name and mailing address of the electric
25 cooperative;

26 (2) a narrative describing the nature and purpose of

1 the intended easement use;
2 (3) a description of any trenching or other
3 underground work expected to result from the intended use,
4 including the anticipated time frame for the work; and
5 (4) a telephone number of an electric cooperative
6 employee to contact regarding the easement.