

**ACT 194**

S.B. NO. 478

A Bill for an Act Relating to Telecommunications and Cable Industry Information Reporting.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 206R-1, Hawaii Revised Statutes, is amended by amending the definitions of “broadband infrastructure” and “broadband service” to read as follows:

~~“Broadband infrastructure” [shall have the same meaning as in section 440J-1.] means the medium used to provide broadband service, including fiber optic cable, copper cable, coaxial cable, and wireless media, such as satellite communications, wireless networks, and worldwide interoperability for micro-wave access.~~

~~“Broadband service” [shall have the same meaning as “broadband access or broadband service” in section 440J-1.] means an always-on service that includes but is not limited to computer processing capabilities, information provision, and computing interactivity with data transport, which enables end users to access the Internet and use a variety of applications at minimum speeds established by the Federal Communications Commission. “Broadband service” does not include wireless network infrastructure or facilities used to provide wireless services over licensed spectrum.”~~

SECTION 2. Section 356D-11.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) As used in this section:

~~“Broadband infrastructure” [has the same meaning as in section 440J-1.] means the medium used to provide broadband service, including fiber optic cable, copper cable, coaxial cable, and wireless media, such as satellite communications, wireless networks, and worldwide interoperability for microwave access.~~

~~“Broadband service” [has the same meaning as “broadband access or broadband service” in section 440J-1.] means an always-on service that includes but is not limited to computer processing capabilities, information provision, and computing interactivity with data transport, which enables end users to access the Internet and use a variety of applications at minimum speeds established by the Federal Communications Commission. “Broadband service” does not include wireless network infrastructure or facilities used to provide wireless services over a licensed spectrum.~~

~~“State low-income housing project” has the same meaning as in section 356D-51.”~~

SECTION 3. Section 481-9.5, Hawaii Revised Statutes, is amended by amending subsection (j) to read as follows:

“(j) This section shall not apply to any:

- (1) Financial institution subject to chapter 412 to the extent that the financial institution is engaged in activities regulated pursuant to chapter 412;
- (2) Insurer subject to chapter 431, 432, or 432D to the extent that the insurer is engaged in activities regulated pursuant to those chapters;
- (3) Telecommunications provider subject to chapter 269; and
- (4) Cable operator subject to chapter 440G ~~[or 440J]~~ to the extent that the provider is engaged in activities regulated pursuant to ~~[those chapters]~~ chapter 440G or the Federal Communications Commission.”

SECTION 4. Chapter 440J, Hawaii Revised Statutes, is repealed.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved July 3, 2023.)