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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT
AND INVESTMENT ACT -- RHODE ISLAND BROADBAND OVERSIGHT AND
ACCOUNTABILITY ACT OF 2026

Introduced By: Representatives McGaw, Fogarty, Carson, Potter, Fellela, Furtado,
Morales, Messier, Donovan, and Boylan

Date Introduced: January 28, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Short Title.

2 This act shall be known as the “Rhode Island Broadband Oversight and Accountability Act
3 of 2026.”

4 SECTION 2. The purpose of this act is to remove statutory barriers that prevent Rhode
5 Island from oversight and monitoring of broadband services, and require the Rhode Island
6 Commerce Corporation to develop a plan for a broadband office or equivalent program to ensure
7 effective monitoring and oversight.

8 SECTION 3. Sections 39-28-1, 39-28-2 and 39-28-3 of the General Laws in Chapter 39-
9 28 entitled "Broadband Deployment and Investment Act" are hereby amended to read as follows:

10 **39-28-1. Findings.**

11 ~~The Rhode Island general assembly finds that growth and enhancement of services using~~
12 ~~internet protocol technology provide Rhode Island consumers more choice in voice, data, and video~~
13 ~~services than at any other time. The proliferation of new technologies and applications and the~~
14 ~~growing number of providers developing and offering innovative services using internet protocol~~
15 ~~are due in large part to little barrier to investment, including freedom from state laws and~~
16 ~~regulations governing traditional telephone service, that these technologies have enjoyed in Rhode~~
17 ~~Island, as well as recognition that federal law is more uniform in its oversight of internet protocol~~
18 ~~enabled services. The economic benefits, including consumer choice, new jobs, and significant~~

~~capital investment, will be jeopardized and competition minimized by the imposition of traditional state entry, rate, and service term regulation on voice over internet protocol service and internet protocol-enabled service.~~

(1) The general assembly finds that broadband infrastructure is now essential to the daily life and well-being of all Rhode Islanders.

(2) Reliable internet access supports critical activities across every sector including health care, education, public safety, energy management, business operations, financial services, housing, transportation, and access to government services.

(3) Previously, provisions of § 39-28-3 made broadband oversight effectively illegal insofar as it prohibited the state from regulating, monitoring, or even designing a framework to oversee broadband performance or reliability.

(4) No other state maintains a prohibition this sweeping at a time when federal law requires states to show meaningful broadband oversight capacity.

(5) Rhode Island receives major federal broadband funds including BEAD, ARPA, and the Capital Projects Fund, which require the state to show real, long-term improvements in broadband coverage, adoption, and service quality.

(6) Federal broadband programs do not track performance well over time and require only limited testing of specific award areas, leaving large gaps in understanding how networks are actually performing. States must fill these gaps with their own continuous monitoring.

(7) Many states have created broadband offices or authorities with statutory powers to coordinate deployments, maintain maps, ensure accountability, and monitor performance (e.g., Maine Connectivity Authority; Vermont Community Broadband Board; Massachusetts Broadband Institute).

(8) In its FY2023 budget, the Rhode Island general assembly authorized a broadband director, and an employee of the commerce corporation, to, among other responsibilities, create a statewide broadband strategic plan which would include goals and strategies related to increasing the access and use of broadband internet in the state. Such a plan would include high-capacity transmission technique using a wide range of frequencies to deliver high-speed internet including both wireline and wireless technologies and would include, but not be limited to: goals for broadband elements such as speed, latency, affordability, reliability, access, sustainability, and digital equity. The plan was to be submitted to the governor, the speaker of the house of representatives, and the president of the senate on or before December 31, 2022 and be updated every five (5) years thereafter.

(9) To responsibly manage public broadband funds and ensure that service is reliable and

equitable, now and into the future as broadband technologies change and resident and business bandwidth needs increase, Rhode Island must develop a broadband office structure capable of mapping availability, monitoring performance, identifying unserved areas, coordinating federal awards, supporting local planning, increasing adoption, and providing transparent public reporting.

39-28-2. Definitions.

For the purpose of this chapter, the following terms shall have the following meanings:

(1) "Broadband" means high-speed Internet access that provides a continuous, reliable connection currently defined by the Federal Communications Commission (FCC). Broadband can be delivered through technologies such as optical fiber, coaxial cable, fixed wireless, satellite, or cellular networks.

(2) "Internet" means a global network of interconnected computer systems and servers that communicate using Internet protocol (IP) or its successors, enabling the transmission of data, voice, video, and multimedia content. It supports a wide variety of services, including web browsing, email, file sharing, voice over Internet protocol (VoIP), streaming, messaging, and other digital communications and content access.

~~(2)~~(3) "Internet protocol-enabled service" or "IP-enabled service" means any service, capability, functionality, or application provided, except that as provided in subsection ~~(1)~~(4), using internet protocol, or any successor protocol, that enables an end-user to send or receive a communication in internet protocol format or any successor format.

(4) "Voice over internet protocol service" or "VoIP service" means any service that:

(i) Enables real-time, two-way voice communications that originate from or terminate at the user's location in internet protocol or any successor protocol;

(ii) Uses a broadband connection from the user's location; and

(iii) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

39-28-3. Regulation.

~~Notwithstanding any general or public law to the contrary, and with the exception of the provisions of § 39-28-4, no department, agency, commission, or political subdivision of Rhode Island shall enact, adopt, or enforce, either directly or indirectly, any law, rule, regulation, ordinance, standard, order, or other provision having the force or effect of law that regulates, or has the effect of regulating, the entry, rates, terms, or conditions of VoIP service or IP-enabled service.~~

(a) Nothing in this chapter shall be construed to expand the jurisdiction of the public utilities commission or the division of public utilities and carriers beyond that provided in other chapters of title 39.

1 (b) The statutory language in this chapter that prohibits any department, agency,
2 commission, or political subdivision of the state from enacting, adopting, or enforcing any law,
3 rule, or provision regulating the entry, rates, terms, or conditions of VoIP service or IP-enabled
4 service is hereby repealed and shall have no force or effect.

5 (c) This section does not itself grant regulatory authority over broadband or internet
6 services.

7 (d) The general assembly retains full authority to enact oversight, reporting, planning, and
8 performance-monitoring statutes relating to broadband and internet services.

9 SECTION 4. Chapter 42-64 of the General Laws entitled "Rhode Island Commerce
10 Corporation" is hereby amended by adding thereto the following section:

11 **42-64-43. Broadband oversight planning -- Rhode Island commerce corporation.**

12 (a) The Rhode Island commerce corporation ("corporation") shall, within one year of the
13 effective date of this section, develop and submit to the speaker of the house, president of the senate,
14 house and senate finance chairs, and committees with jurisdiction over commerce and technology,
15 a detailed plan regarding the creation of a broadband oversight authority or similar structure.

16 (b) The plan shall include, but not be limited to:

17 (1) Recommendations for the mission, authority, and responsibilities of such an oversight
18 authority, including broadband planning, deployment coordination, performance monitoring,
19 consumer concerns, and equitable access;

20 (2) Recommendations for organizational structure and staffing;

21 (3) A proposed framework for collaboration with state, local, and federal entities involved
22 in broadband deployment or oversight;

23 (4) Proposed funding mechanisms to support the authority's operations; and

24 (5) A timeline for establishment of the authority, including any legislative actions
25 necessary for its formation.

26 (c) The corporation shall hire contractors or add a full-time equivalent employee to ensure
27 compliance with this section, and may consult with municipalities, broadband providers, public
28 safety agencies, educational institutions, community organizations, and other relevant stakeholders
29 while preparing the plan.

30 SECTION 5. Severability.

31 If any provision of this act or the application thereof to any person or circumstances is held
32 invalid, such invalidity shall not affect other provisions or applications of this act, which can be
33 given effect without the invalid provision or application, and to this end the provisions of this act
34 are declared to be severable.

1 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT
AND INVESTMENT ACT -- RHODE ISLAND BROADBAND OVERSIGHT AND
ACCOUNTABILITY ACT OF 2026

1 This act would enact the Rhode Island Broadband Oversight and Accountability Act of
2 2026. The act would amend and remove statutory barriers that may prevent Rhode Island from
3 oversight and monitoring of broadband services. The act would also direct the commerce
4 corporation to prepare and submit a plan regarding the creation of broadband oversight authority
5 or a similar structure.

6 This act would take effect upon passage.

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