

117TH CONGRESS
1ST SESSION

H. R. 3377

To amend the Internal Revenue Code of 1986 to provide tax benefits for investments in gigabit opportunity zones.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mrs. CAMMACK (for herself, Ms. LETLOW, Mr. BANKS, Ms. HERRELL, Mr. MOOLENAAR, Mr. LAMALFA, Mr. MEUSER, Mr. CAWTHORN, Mr. STEUBE, Mr. BOST, Mr. KUSTOFF, Mrs. MILLER of Illinois, Mr. WITTMAN, Mr. JACKSON, Ms. TENNEY, Mr. RODNEY DAVIS of Illinois, Mr. ROUZER, Mr. OWENS, Mr. C. SCOTT FRANKLIN of Florida, Mr. GOODEN of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. DAVIDSON, Mr. TIFFANY, Mr. VALADAO, Mr. CLINE, Mrs. FISCHBACH, Ms. STEFANIK, Mr. DIAZ-BALART, Mr. LATURNER, Mr. WESTERMAN, and Mr. DONALDS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to provide tax benefits for investments in gigabit opportunity zones.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gigabit Opportunity
5 Act”.

1 **SEC. 2. GIGABIT OPPORTUNITY ZONES.**

2 (a) IN GENERAL.—Chapter 1 of the Internal Rev-
 3 enue Code of 1986 is amended by inserting after sub-
 4 chapter V the following new subchapter:

5 **“Subchapter W—Gigabit Opportunity Zones**

“Sec. 1400W-1. Designation.

“Sec. 1400W-2. Deferral for eligible taxpayer of capital gains invested in gig-
 abit opportunity zones.

“Sec. 1400W-3. Immediate expensing of qualified gigabit opportunity zone
 business property.

6 **“SEC. 1400W-1. DESIGNATION.**

7 “(a) QUALIFIED GIGABIT OPPORTUNITY ZONE DE-
 8 FINED.—For the purposes of this subchapter, the term
 9 ‘qualified gigabit opportunity zone’ means a population
 10 census tract that is a low-income community—

11 “(1) which does not have fixed terrestrial
 12 broadband service that meets the current speed
 13 benchmark for fixed services (as determined by the
 14 Federal Communications Commission in its most re-
 15 cent report issued pursuant to section 706 of the
 16 Telecommunications Act of 1996 (47 U.S.C. 1302)),

17 “(2) which is located in a jurisdiction—

18 “(A) that has been certified by the Sec-
 19 retary, in consultation with the National Tele-
 20 communications and Information Administra-
 21 tion, as having adopted the Uniform Model
 22 Broadband Deployment Act prescribed by the

1 Federal Communications Commission pursuant
2 to section 4 of the Gigabit Opportunity Act, or

3 “(B) which has been determined by the
4 Secretary, in consultation with the National
5 Telecommunications and Information Adminis-
6 tration, to have adopted laws which are com-
7 parable to such Uniform Model Broadband De-
8 ployment Act, and

9 “(3) which is designated as a qualified gigabit
10 opportunity zone.

11 Paragraph (1)(B) shall not apply with respect to any ju-
12 risdiction for which a determination has been made after
13 the date which is 3 years after the date of the enactment
14 of this section.

15 “(b) DESIGNATION.—

16 “(1) IN GENERAL.—For purposes of subsection
17 (a)(3), a population census tract that is a low-in-
18 come community and which meets the requirements
19 of paragraph (1) of subsection (a) is designated as
20 a qualified gigabit opportunity zone if—

21 “(A) not later than the end of the deter-
22 mination period, the governor of the State in
23 which the tract is located—

1 “(i) nominates the tract for designa-
 2 tion as a qualified gigabit opportunity
 3 zone, and

4 “(ii) notifies the Secretary in writing
 5 of such nomination, and

6 “(B) the Secretary certifies such nomina-
 7 tion and designates such tract as a qualified
 8 gigabit opportunity zone before the end of the
 9 consideration period.

10 “(2) EXTENSION OF PERIODS.—A governor
 11 may request that the Secretary extend either the de-
 12 termination or consideration period, or both (deter-
 13 mined without regard to this subparagraph), for an
 14 additional 30 days.

15 “(c) OTHER DEFINITIONS.—For purposes of this
 16 subsection—

17 “(1) LOW-INCOME COMMUNITIES.—The term
 18 ‘low-income community’ has the same meaning as
 19 when used in section 45D(e).

20 “(2) DEFINITION OF PERIODS.—

21 “(A) CONSIDERATION PERIOD.—The term
 22 ‘consideration period’ means the 30-day period
 23 beginning on the date on which the Secretary
 24 receives notice under subsection (b)(1)(A)(ii),
 25 as extended under subsection (b)(2).

1 “(B) DETERMINATION PERIOD.—The term
2 ‘determination period’ means the 90-day period
3 beginning on the date on which the State
4 adopts the Uniform Model Broadband Deploy-
5 ment Act described in subsection (a)(2)(A), as
6 extended under subsection (b)(2).

7 “(d) GUIDANCE FOR OPPORTUNITY ZONE NOMINA-
8 TIONS.—When considering the nomination of qualified
9 gigabit opportunity zones, governors should strive for the
10 creation of qualified gigabit opportunity zones that are
11 geographically concentrated and contiguous clusters of
12 population census tracts and should give particular consid-
13 eration to areas that—

14 “(1) are currently facing obstacles to economic
15 development due to a lack of geographic broadband
16 coverage or a lack of broadband speed,

17 “(2) are currently the focus of mutually rein-
18 forcing State, local, or private economic development
19 initiatives, and

20 “(3)(A) are poised for economic growth that re-
21 quires access to high speed broadband for commer-
22 cial purposes, and

23 “(B) represent the areas of a State where such
24 service would result in the highest return on invest-
25 ment.

1 “(e) NUMBER OF DESIGNATIONS.—

2 “(1) IN GENERAL.—Except as provided by
3 paragraph (2), the number of population census
4 tracts in a State that may be designated as qualified
5 gigabit opportunity zones under this section may not
6 exceed 25 percent of the number of low-income com-
7 munities in the State.

8 “(2) EXCEPTION.—If the number of low-income
9 communities in a State is less than 100, then a total
10 of 25 of such tracts may be designated as qualified
11 gigabit opportunity zones.

12 “(f) DESIGNATION OF TRACTS CONTIGUOUS WITH
13 LOW-INCOME COMMUNITIES.—

14 “(1) IN GENERAL.—A population census tract
15 that is not a low-income community may be des-
16 ignated as a qualified gigabit opportunity zone under
17 this section if—

18 “(A) such tract meets the requirements of
19 paragraph (1) of subsection (a),

20 “(B) the tract is contiguous with a low-in-
21 come community that is designated as a quali-
22 fied gigabit opportunity zone, and

23 “(C) the median family income of the tract
24 does not exceed 150 percent of the median fam-

1 ily income of the low-income community with
2 which the tract is contiguous.

3 “(2) LIMITATION.—Not more than 25 percent
4 of the population census tracts designated in a State
5 as a qualified gigabit opportunity zone may be des-
6 ignated under paragraph (1).

7 “(g) PERIOD FOR WHICH DESIGNATION IS IN EF-
8 FECT.—A designation as a qualified gigabit opportunity
9 zone shall remain in effect for the period beginning on
10 the date of the designation and ending at the close of the
11 7th calendar year beginning on or after such date of des-
12 ignation.

13 **“SEC. 1400W-2. DEFERRAL FOR ELIGIBLE TAXPAYER OF**
14 **CAPITAL GAINS INVESTED IN GIGABIT OP-**
15 **PORTUNITY ZONES.**

16 “(a) IN GENERAL.—

17 “(1) EXCLUSION OF GAIN INVESTED IN GIG-
18 ABIT OPPORTUNITY ZONE PROPERTY.—In the case
19 of gain from the sale to, or exchange with, an unre-
20 lated person of any property held by an eligible tax-
21 payer, at the election of the eligible taxpayer—

22 “(A) gross income for the taxable year
23 shall not include so much of such gain as does
24 not exceed the aggregate cost of all qualified
25 gigabit opportunity zone property acquired by

1 the taxpayer during the 180-day period begin-
2 ning on the date of such sale or exchange, and

3 “(B) the amount of gain excluded by sub-
4 paragraph (A) shall be included in gross income
5 as provided by paragraph (2).

6 “(2) DEFERRAL OF GAIN INVESTED IN QUALI-
7 FIED GIGABIT OPPORTUNITY ZONE PROPERTY.—

8 “(A) YEAR OF INCLUSION.—Except as
9 provided by subparagraph (C), gain to which
10 paragraph (1)(B) applies shall be included in
11 income in the taxable year in which the quali-
12 fied gigabit opportunity zone property related to
13 such gain is sold or exchanged in the amount
14 determined under subparagraph (B).

15 “(B) AMOUNT INCLUDIBLE.—The amount
16 of gain determined under this clause shall be—

17 “(i) 100 percent of such gain in the
18 case of the sale or exchange of the quali-
19 fied gigabit opportunity zone property with
20 respect to which gain is deferred under
21 paragraph (1) that is held for less than 5
22 years,

23 “(ii) 90 percent of such gain in the
24 case of the sale or exchange of the quali-
25 fied gigabit opportunity zone property with

1 respect to which gain is deferred under
2 paragraph (1) that is held for at least 5
3 years but less than 7 years, and

4 “(iii) 85 percent of such gain in the
5 case of the sale or exchange of the quali-
6 fied gigabit opportunity zone property with
7 respect to which gain is deferred under
8 paragraph (1) that is held for at least 7
9 years.

10 “(3) EXCLUSION OF GAIN ON QUALIFIED GIG-
11 ABIT OPPORTUNITY ZONE PROPERTY HELD FOR AT
12 LEAST 10 YEARS.—Except as provided in paragraph
13 (2), in the case of the sale or exchange of qualified
14 gigabit opportunity zone property, or an investment
15 in a qualified opportunity fund, held for at least 10
16 years, gross income for the taxable year shall not in-
17 clude any gain from the sale or exchange of such
18 property or investment.

19 “(4) ONE ELECTION PER PROPERTY.—No elec-
20 tion may be made under paragraph (1) with respect
21 to a sale or exchange if an election previously made
22 with respect to such sale or exchange is in effect.

23 “(b) BASIS RULES RELATING TO QUALIFIED GIG-
24 ABIT OPPORTUNITY ZONE PROPERTY.—

1 “(1) REDUCED BY GAIN DEFERRED UNDER
2 SUBSECTION (a)(1).—The basis of a qualified gig-
3 abit opportunity zone property immediately after its
4 acquisition under subsection (a) shall be reduced by
5 the amount of gain deferred by reason of subsection
6 (a)(1)(A) with respect to such property.

7 “(2) INCREASE FOR GAIN RECOGNIZED UNDER
8 SUBSECTION (a)(2).—The basis of qualified gigabit
9 opportunity zone property shall be increased by the
10 amount of gain recognized by reason of subsection
11 (a)(2) with respect to such property.

12 “(3) SUBSEQUENT INCREASE IN BASIS FOR
13 PROPERTY HELD FOR AT LEAST 5 YEARS BUT LESS
14 THAN 10 YEARS.—In the case of qualified gigabit op-
15 portunity zone property held for at least 5 years but
16 less than 10 years—

17 “(A) PROPERTY HELD FOR 5 YEARS.—For
18 qualified gigabit opportunity zone property held
19 for at least 5 years, the basis of such property
20 shall be increased by an amount equal to 10
21 percent of the amount of gain deferred by rea-
22 son of subsection (a)(1)(A) with respect to such
23 property.

24 “(B) PROPERTY HELD FOR 7 YEARS.—For
25 qualified gigabit opportunity zone property held

1 for at least 7 years, the basis of such property
2 shall be increased by an amount equal to 5 per-
3 cent of the amount of gain deferred by reason
4 of subsection (a)(1)(A) with respect to such
5 property.

6 “(c) ELIGIBLE TAXPAYER.—For purposes of this sec-
7 tion, the term ‘eligible taxpayer’ means any taxpayer who
8 has a trade or business a substantial part of which con-
9 sists of selling broadband internet service to commercial
10 customers, residential customers, or both through one or
11 a combination of the following technologies:

12 “(1) Digital Subscriber Line transmission tech-
13 nology that transmits data faster over traditional
14 copper telephone lines, without regards to the spe-
15 cific type of Digital Subscriber Line transmission
16 technology such as Asymmetrical Digital Subscriber
17 Line, Symmetrical Digital Subscriber Line, High
18 data rate Digital Subscriber Line, or Very High
19 data rate Digital Subscriber Line.

20 “(2) Cable Modem transmission technology that
21 enables operators to provide broadband using the
22 same coaxial cables that deliver pictures and sound
23 to televisions.

1 “(3) Fiber optic transmission technology that
2 converts electrical signals carrying data to light and
3 sends the light through transparent glass fibers.

4 “(4) Wireless transmission technology that uti-
5 lizes a radio link between the customer’s location
6 and the service provider’s facility, whether mobile or
7 fixed.

8 “(5) Satellite transmission technology that pro-
9 vides broadband links via orbiting satellites.

10 “(6) Broadband over powerline transmission
11 technology that delivers broadband over the existing
12 low- and medium-voltage electric power distribution
13 network.

14 “(7) Such other technologies as the Secretary,
15 in consultation with the Federal Communications
16 Commission, may designate by rule as a broadband
17 provider technology.

18 “(d) QUALIFIED GIGABIT OPPORTUNITY ZONE
19 PROPERTY.—For purposes of this section:

20 “(1) IN GENERAL.—The term ‘qualified gigabit
21 opportunity zone property’ means property which
22 is—

23 “(A) qualified gigabit opportunity zone
24 stock,

1 “(B) qualified gigabit opportunity zone
2 partnership interest,

3 “(C) qualified gigabit opportunity zone
4 business property, or

5 “(D) an interest in a qualified investment
6 fund.

7 “(2) QUALIFIED GIGABIT OPPORTUNITY ZONE
8 STOCK.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), the term ‘qualified gigabit
11 opportunity zone stock’ means any stock in a
12 domestic corporation if—

13 “(i) such stock is acquired by the tax-
14 payer after the date of the enactment of
15 this section, at its original issue (directly
16 or through an underwriter) from the cor-
17 poration solely in exchange for cash,

18 “(ii) as of the time such stock was
19 issued, such corporation was a qualified
20 gigabit opportunity zone business (or, in
21 the case of a new corporation, such cor-
22 poration was being organized for purposes
23 of being a qualified gigabit opportunity
24 zone business), and

1 “(iii) during substantially all of the
2 taxpayer’s holding period for such stock,
3 such corporation qualified as a qualified
4 gigabit opportunity zone business.

5 “(B) REDEMPTIONS.—A rule similar to
6 the rule of section 1202(c)(3) shall apply for
7 purposes of this paragraph.

8 “(3) QUALIFIED GIGABIT OPPORTUNITY ZONE
9 PARTNERSHIP INTEREST.—The term ‘qualified gig-
10 abit opportunity zone partnership interest’ means
11 any capital or profits interest in a domestic partner-
12 ship if—

13 “(A) such interest is acquired by the tax-
14 payer after the date of the enactment of this
15 section, from the partnership solely in exchange
16 for cash,

17 “(B) as of the time such interest was ac-
18 quired, such partnership was a qualified gigabit
19 opportunity zone business (or, in the case of a
20 new partnership, such partnership was being
21 organized for purposes of being a qualified gig-
22 abit opportunity zone business), and

23 “(C) during substantially all of the tax-
24 payer’s holding period for such interest, such

1 partnership qualified as a qualified gigabit op-
2 portunity zone business.

3 “(4) QUALIFIED GIGABIT OPPORTUNITY ZONE
4 BUSINESS PROPERTY.—

5 “(A) IN GENERAL.—The term ‘qualified
6 gigabit opportunity zone business property’
7 means tangible property used in a trade or
8 business of the taxpayer if—

9 “(i) such property—

10 “(I) is used primarily to provide
11 broadband transmission services to
12 areas which do not have fixed terres-
13 trial broadband service that meets the
14 current speed benchmark for fixed
15 services (as determined by the Federal
16 Communications Commission in its
17 most recent report issued pursuant to
18 section 706 of the Telecommuni-
19 cations Act of 1996 (47 U.S.C.
20 1302)), and

21 “(II) is capable of transmitting
22 signals at a rate of at least
23 1,000,000,000 bits per second,

24 “(ii) such property was acquired by
25 the taxpayer by purchase (as defined in

1 section 179(d)(2)) after the date of the en-
2 actment of this section,

3 “(iii) the original use of such property
4 in the qualified gigabit opportunity zone
5 commences with the taxpayer or the tax-
6 payer substantially improves the property,
7 and

8 “(iv) during substantially all of the
9 taxpayer’s holding period for such prop-
10 erty, substantially all of the use of such
11 property was in a qualified gigabit oppor-
12 tunity zone.

13 “(B) SPECIAL RULE FOR CERTAIN PROP-
14 ERTY.—In the case of property which is placed
15 in service before January 1, 2024, and which is
16 with respect to technology described in para-
17 graph (4) or (5) of subsection (c), subpara-
18 graph (A)(i)(II) shall be applied by substituting
19 ‘150,000,000 bits per second’ for
20 ‘1,000,000,000 bits per second’.

21 “(C) SUBSTANTIAL IMPROVEMENT.—For
22 purposes of subparagraph (A)(iii), property
23 shall be treated as substantially improved by
24 the taxpayer only if, during any 30-month pe-
25 riod beginning after the date of acquisition of

such property, additions to basis with respect to such property in the hands of the taxpayer exceed an amount equal to the adjusted basis of such property at the beginning of such 30-month period in the hands of the taxpayer.

“(D) TREATMENT OF RELATED PARTIES.—For purposes of subparagraph (A)(ii), the rules of subparagraph (A) of section 179(d)(2) shall be applied using the relationship described in subsection (e)(2) in lieu of the relationship described in such subparagraph.

“(5) QUALIFIED GIGABIT OPPORTUNITY FUND.—The term ‘qualified gigabit opportunity fund’ means any investment vehicle organized as a corporation or a partnership for the purpose of investing in qualified gigabit opportunity zone property (other than another qualified opportunity fund) that holds at least 90 percent of its assets in qualified opportunity zone property, determined—

“(A) on the last day of the first 6-month period of the taxable year of the fund, and

“(B) on the last day of the taxable year of the fund.

“(6) QUALIFIED GIGABIT OPPORTUNITY ZONE BUSINESS.—

1 “(A) IN GENERAL.—The term ‘qualified
2 gigabit opportunity zone business’ means a
3 trade or business—

4 “(i) in which substantially all of the
5 tangible property owned or leased by the
6 taxpayer is qualified gigabit opportunity
7 zone business property,

8 “(ii) which satisfies the requirements
9 of paragraphs (2), (4), and (8) of section
10 1397C(b), and

11 “(iii) which is not described in section
12 144(c)(6)(B).

13 “(B) SPECIAL RULE.—For purposes of
14 subparagraph (A), tangible property that ceases
15 to be a qualified gigabit opportunity zone busi-
16 ness property shall continue to be treated as a
17 qualified gigabit opportunity zone business
18 property for the lesser of—

19 “(i) 5 years after the date on which
20 such tangible property ceases to be so
21 qualified, or

22 “(ii) the date on which such tangible
23 property is no longer held by the qualified
24 gigabit opportunity zone business.

25 “(e) APPLICABLE RULES.—

1 “(1) IN GENERAL.—For purposes of this sec-
2 tion and except as otherwise provided in this section,
3 rules similar to the rules applicable to deferred like
4 kind exchanges under section 1031 shall apply ex-
5 cept that reinvestment in qualified gigabit oppor-
6 tunity zone property need not require an inter-
7 mediary party.

8 “(2) RELATED PERSONS.—For purposes of this
9 subsection, persons are related to each other if such
10 persons are described in section 267(b) or 707(b)(1),
11 determined by substituting ‘20 percent’ for ‘50 per-
12 cent’ each place it occurs in such sections.

13 “(3) DECEDENTS.—In the case of a decedent,
14 amounts recognized under this section shall, if not
15 properly includible in the gross income of the dece-
16 dent, be includible in gross income as provided by
17 section 691.

18 “(4) REGULATIONS.—The Secretary shall pre-
19 scribe such regulations as may be necessary or ap-
20 propriate to carry out the purposes of this section,
21 including—

22 “(A) rules providing for proportionate in-
23 clusion in income and increases in basis for
24 purposes of subsections (a) and (b) in cases in
25 which a sale or exchange of any qualified gig-

1 abit opportunity zone property with respect to
 2 which gain is deferred under subsection
 3 (a)(1)(A) is less than all of such property,

4 “(B) rules requiring taxpayers to provide
 5 such information as the Secretary determines to
 6 be necessary or appropriate for the identifica-
 7 tion of both the assets sold (including basis and
 8 sale price) and the assets acquired and invest-
 9 ments made, and

10 “(C) rules to prevent abuse.

11 **“SEC. 1400W-3. IMMEDIATE EXPENSING OF QUALIFIED GIG-**
 12 **ABIT OPPORTUNITY ZONE BUSINESS PROP-**
 13 **ERTY.**

14 “(a) IN GENERAL.—An eligible taxpayer may elect
 15 to treat the cost of any qualified gigabit opportunity zone
 16 business property (as defined in section 1400W-2) as an
 17 expense which is not chargeable to capital account. Any
 18 cost so treated shall be allowed as a deduction for the tax-
 19 able year in which the qualified gigabit opportunity zone
 20 business property is placed in service.

21 “(b) ELIGIBLE TAXPAYER.—For purposes of this
 22 section, the term ‘eligible taxpayer’ has the same meaning
 23 given to such term under section 1400W-2(c).

24 “(c) EXCEPTION FOR CERTAIN PROPERTY.—For
 25 purposes of this section, the term ‘qualified gigabit oppor-

1 tunity zone business property’ shall not include any prop-
 2 erty to which section 168(g) applies.

3 “(d) ELECTION.—An election under this section shall
 4 be made under rules similar to the rules of section 179(c).

5 “(e) COORDINATION WITH SECTION 179.—For pur-
 6 poses of section 179, qualified gigabit opportunity zone
 7 business property shall not be treated as section 179 prop-
 8 erty.

9 “(f) APPLICATION OF OTHER RULES.—Rules similar
 10 to the rules of paragraphs (3), (4), (5), (7), (9), and (10)
 11 of section 179(d) shall apply for purposes of this section.

12 “(g) TAXPAYER REPORTING.—This section shall not
 13 apply with respect to any taxpayer for any taxable year
 14 unless such taxpayer provides the Secretary with such in-
 15 formation as the Secretary may require to allow the Sec-
 16 retary to evaluate the effectiveness of the program estab-
 17 lished under this part.”.

18 (b) BASIS ADJUSTMENTS.—Section 1016(a) of such
 19 Code is amended by striking “and” at the end of para-
 20 graph (37), by striking the period at the end of paragraph
 21 (38) and inserting “, and”, and by inserting after para-
 22 graph (38) the following new paragraph:

23 “(39) to the extent provided in section 1400W—
 24 2(b).”.

1 (c) CLERICAL AMENDMENT.—The table of sub-
 2 chapters for chapter 1 of such Code is amended by insert-
 3 ing after the item relating to subchapter V the following
 4 new item:

“SUBCHAPTER W. GIGABIT OPPORTUNITY ZONES”.

5 **SEC. 3. PRIVATE ACTIVITY BONDS FOR QUALIFIED**
 6 **BROADBAND PROJECTS.**

7 (a) IN GENERAL.—Section 142(a) of the Internal
 8 Revenue Code of 1986 is amended by striking “or” at the
 9 end of paragraph (14), by striking the period at the end
 10 of paragraph (15) and inserting “, or”, and by adding at
 11 the end the following new paragraph:

12 “(16) qualified broadband projects.”.

13 (b) QUALIFIED BROADBAND PROJECTS.—Section
 14 142 of such Code is amended by adding at the end the
 15 following new subsection:

16 “(n) QUALIFIED BROADBAND PROJECT.—

17 “(1) IN GENERAL.—For purposes of subsection
 18 (a)(16), the term ‘qualified broadband project’
 19 means any project which—

20 “(A) is located in a jurisdiction that has
 21 been certified by the Secretary, in consultation
 22 with the National Telecommunications and In-
 23 formation Administration, as having adopted
 24 the Uniform Model Broadband Deployment Act
 25 prescribed by the Federal Communications

1 Commission pursuant to section 4 of the Gig-
2 abit Opportunity Act, and

3 “(B) results in gigabit capable internet ac-
4 cess to residential or commercial locations—

5 “(i) where a broadband service pro-
6 vider previously did not provide service, or

7 “(ii) which do not have fixed terres-
8 trial broadband service that meets the cur-
9 rent speed benchmark for fixed services (as
10 determined by the Federal Communica-
11 tions Commission in its most recent report
12 issued pursuant to section 706 of the Tele-
13 communications Act of 1996 (47 U.S.C.
14 1302)).”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to bonds issued after the date of
17 the enactment of this Act.

18 **SEC. 4. UNIFORM MODEL BROADBAND DEPLOYMENT ACT.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of the enactment of this Act, the Federal Commu-
21 nications Commission shall publish a Uniform Model
22 Broadband Deployment Act containing laws for the State
23 regulation of the deployment of broadband services.

24 (b) NO INFERENCE RELATING TO DATA COLLEC-
25 TION.—Nothing in this Act or the amendments made by

1 this Act shall be construed to provide additional authority
2 for the collection of data to the Federal Communications
3 Commission or the National Telecommunications and In-
4 formation Administration.

○