AN ACT REQUIRING STATE CONTRACTORS TO ADOPT A NET NEUTRALITY POLICY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective October 1, 2018, and applicable to solicitations on and after said date) (a) For the purposes of this section:

1. "Contractor" means a person, firm or corporation that is an Internet service provider submitting a competitive bid or proposal in response to a solicitation of a state agency;

2. "State agency" means each state board, commission, department, office, institution, council or other agency with the power to contract for goods or services, itself or through its head;

3. "Contract" means a contract entered into by a state agency and a contractor under chapter 58 of the general statutes that includes Internet and broadband services; and

4. "Net neutrality policy" means the policy described in subsection...
(b) of this section.

(b) On and after October 1, 2018, each state agency, when awarding a contract, shall state in its notice of solicitation for competitive bids or request for proposals or qualifications for such contract that the contractor shall be required to comply with the provisions of this section. Each contractor responding to a state agency's solicitation of bids, proposals or qualifications for a contract shall provide to the state agency a copy of its net neutrality policy, in accordance with subsection (d) of this section. At a minimum, such policy shall include a certification that the contractor:

1. Shall not block lawful content, applications, services or nonharmful devices, subject to reasonable network management that is disclosed to the consumer;

2. Shall not impair or degrade lawful Internet traffic on the basis of Internet content, application or service or use of a nonharmful device, subject to reasonable network management that is disclosed to the consumer;

3. Shall not engage in paid prioritization, or accept any consideration to manage its network in a way that benefits particular content, applications, services or devices; and

4. Shall publicly disclose accurate information regarding the network management practices, performance and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding the use of such services.

(c) Such policy shall be posted in a prominent and accessible location at the contractor's place of business and on the contractor's Internet website, if applicable.

(d) When responding to a state agency solicitation for competitive bids or request for proposals or qualifications for a contract, the contractor shall provide the awarding agency with any one of the
(1) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the net neutrality policy requirements set forth in subsection (b) of this section;

(2) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (A) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (B) the head of the awarding state agency, or a designee, certifies that the prior resolution complies with the net neutrality policy requirements set forth in subsection (b) of this section; or

(3) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the net neutrality policy requirements set forth in subsection (b) of this section and is in effect on the date the affidavit is signed.

(e) No state agency shall award a contract to a contractor who has not provided the representation or documentation required under subsection (d) of this section. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (1) not later than thirty days after the effective
date of such change, or (2) upon the execution of a new contract with
the awarding state agency, whichever is earlier. Such contractor shall
also certify to the awarding state agency not later than fourteen days
after the twelve-month anniversary of the most recently filed
representation, documentation or updated representation or
documentation, that the representation on file with the awarding state
agency, is current and accurate.

| Section 1 | October 1, 2018, and applicable to solicitations on and after said date | New section |

**Statement of Purpose:**
To require Internet service providers that are state contractors to adopt a net neutrality policy.

*Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.*