COMMITTEE REPORT

May 26, 2010

**S. 1462**

Introduced by Senators McConnell, Setzler, L. Martin and Bright

S. Printed 5/26/10--S.

Read the first time May 19, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Concurrent Resolution (S. 1462) to memorialize the President of the United States, the Congress of the United States, and the Federal Communications Commission of the United States to refrain from regulating, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

GLENN F. McCONNELL for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

This bill will have no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **CONCURRENT RESOLUTION**

TO MEMORIALIZE THE PRESIDENT OF THE UNITED STATES, THE CONGRESS OF THE UNITED STATES, AND THE FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED STATES TO REFRAIN FROM REGULATING INTERNET BROADBAND SERVICES AS COMMON CARRIER SERVICES UNDER TITLE II OF THE COMMUNICATIONS ACT OF 1934.

Whereas, due in large part to the unregulated efforts of private enterprise over the past twenty-five years, the development of the Internet has dramatically transformed the way South Carolina citizens work, live, and learn. The deployment of efficient, fast, and reliable broadband networks throughout South Carolina has created thousands of jobs and economic benefits for local economies; and

Whereas, in order to encourage the growth and development of the Internet, the Federal Communications Commission (FCC) has historically followed a policy to refrain from regulating broadband Internet services as common carrier services under Title II of the Communications Act of 1934. As a result, the United States has been at the forefront of technological, business, and social innovation on the Internet; and

Whereas, on May 6, 2010, the Chairman of the FCC announced a policy to reclassify broadband Internet services as common carrier services so that they can be more tightly regulated, with a proposal to forbear from imposing certain common carrier obligations on broadband Internet providers; and

Whereas, it is the judgment of the South Carolina General Assembly that using provisions of Title II of the Communications Act of 1934 to regulate the Internet will slow investment in South Carolina’s Internet broadband infrastructure and jeopardize future job growth; and

Whereas, the South Carolina General Assembly has made significant public policy decisions that encourage investment in broadband and emerging technologies. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the South Carolina General Assembly memorializes the President of the United States, the Congress of the United States, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

Be it further resolved that copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the South Carolina congressional delegation, and the Commissioners of the Federal Communications Commission of the United States.

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