

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 1032**

By Senator Hart

[Introduced February 20, 2026; referred  
to the Committee on Government Organization]

1 A BILL to amend and reenact §31G-1A-2 of the Code of West Virginia, 1931, as amended, relating  
 2 to the powers and duties of the Office of Broadband; and clarifying that the Office of  
 3 Broadband will coordinate with the Consumer Protection Division of the Attorney General's  
 4 Office on certain consumer complaints regarding broadband service and may report  
 5 consumer complaints to the Federal Communications Commission.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE                    1A.                    OFFICE                    OF                    BROADBAND.**  
**§31G-1A-2. Powers and duties of the Office of Broadband generally.**

- 1            (a) The Office of Broadband shall have the following duties:
- 2            (1) Explore any and all ways to expand access to broadband services, including, but not  
 3 limited to, middle mile, last mile, and wireless applications;
- 4            (2) Gather data regarding the various speeds provided to consumers in comparison to  
 5 what is advertised. The office may request the assistance of the Legislative Auditor in gathering  
 6 this data;
- 7            (3) Cooperate and assist in the expansion of electronic instruction and distance education  
 8 services;
- 9            (4) Gather and report data regarding the adoption by broadband services, by speed, and  
 10 by community, separately for residential and non-residential consumers;
- 11            (5) Gather and report data regarding prices charged for broadband services to residential  
 12 and non-residential consumers, including, but not limited to one-time fees, monthly fees,  
 13 termination fees, equipment fees, and other fees;
- 14            (6) Incorporate the goal of digital equality in its fulfillment of responsibilities, which is a  
 15 condition where all individuals and communities have the information technology capacity needed  
 16 for full participation in our society, democracy, and economy;
- 17            (7) Provide for the increased public awareness of issues concerning broadband services;
- 18 and

19 (8) Report to the Joint Committee on Government and Finance of the West Virginia  
20 Legislature on or before December 30 of each year.

21 (b) In addition to the powers set forth elsewhere in this article, the Office of Broadband is  
22 hereby granted the authority necessary and appropriate to carry out and effectuate the purpose  
23 and intent of this article, including, but not limited to, the authority to:

24 (1) Make and execute contracts, commitments, and other agreements necessary or  
25 convenient for the exercise of its powers, including, but not limited to, the hiring of consultants to  
26 assist in the mapping of the state and categorization of areas within the state;

27 (2) Acquire by gift or purchase, hold, or dispose of real or personal property in the exercise  
28 of its powers and performance of its duties as set forth in this article;

29 (3) Receive and dispense funds appropriated for its use by the Legislature or other funding  
30 sources or solicit, apply for, and receive any funds, property, or services from any person,  
31 governmental agency, or organization to carry out its statutory duties;

32 (4) To oversee the use of conduit installed pursuant to §31G-3-2 of this code;

33 (5) Make recommendations to the Legislature on bringing broadband service to areas of  
34 the state;

35 (6) Contract with and retain outside expert consultants to assist in the purposes of this  
36 article;

37 (7) Create guidelines for, and recommend to the Legislature, a means of implementing a  
38 voluntary donation program to allow for pipeline, railroad, and other similar structures and rights-  
39 of-way in the state to be donated to the state for use by public or private entities to facilitate  
40 broadband service and availability through placement of fiber;

41 (8) Create guidelines for, and recommend to the Legislature, a means of implementing a  
42 program to allow for an easement program to be established to allow public or private entities to  
43 facilitate broadband service and availability through placement of fiber;

44 (9) Coordinate with the Consumer Protection Division of the Office of the Attorney General

45 to provide for the following consumer protections:

46 (A) If a broadband service to a subscriber is interrupted for more than 24 continuous  
47 hours, such subscriber shall, upon request, receive a credit or refund from the broadband operator  
48 in an amount that represents the proportionate share of such service not received in a billing  
49 period, provided such interruption is not caused by the subscriber;

50 (B) A broadband operator may not deny service, deny access, or otherwise discriminate  
51 against subscribers, channel users, or any other citizens on the basis of age, race, religion, sex,  
52 physical handicap, political affiliation, political views, or exercise of other speech protected by the  
53 1st Amendment to the United States Constitution, or country of natural origin;

54 (C) A broadband operator shall provide subscribers 30 days advance written notice of any  
55 changes to rates or charges, including the expiration of any promotion or special pricing that would  
56 result in an increase in the subscribers billing or cost of service; and

57 (D) A broadband operator shall inform subscribers and provide written notice to  
58 subscribers that disputes regarding interrupted or substandard service or billing issues, which are  
59 unresolved to satisfaction of the subscriber; ~~and~~

60 (E) Any consumer complaint regarding the adequacy and reliability of broadband service;

61 (F) Any consumer complaint that the terms and conditions of broadband service are unjust,  
62 unfair or unreasonable;

63 (G) May refer any consumer complaint to the Federal Communications Commission; and

64 (10) Perform any and all other activities in furtherance of the purposes of this article.

65 (c) In furtherance of the purposes of this article, the Office of Broadband is permitted to  
66 seek non-state funding and grants. The Office of Broadband may utilize funding and grants to  
67 support the responsibilities, initiatives, and projects set forth in this article. The Office of  
68 Broadband may additionally disburse such moneys to fund projects and initiatives in furtherance  
69 of the enhancement and expansion of broadband services in this state, and the other purposes of  
70 this article.

NOTE: The purpose of this bill is to enhance the ability of the Office of Broadband to receive, transmit, and resolve consumer complaints relating to the safety, adequacy, and reliability of broadband service and providing a mechanism for consumer complaints that the terms and conditions of broadband service are unjust, unfair or unreasonable.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.