



January 28, 2022

The 2022 session began on Wednesday, January 5. Each week we will send out an update report showing bill actions during the week. Below are summaries of bills of interest. Changes from last week are shown in red.

The links below will take you to the weekly hearing schedules. Bills are added throughout the week, by clicking on the link and committee name you can see the most current bills that will have public hearings or be voted out of committee.

[Senate Hearing Schedule](#)

[House Hearing Schedule](#)

Priority Bills

[SB 759](#) (Hough) - authorizes any taxing jurisdiction to impose one or more sales taxes for purposes to be designated by the taxing jurisdiction, provided that the total combined rate of local sales taxes imposed and retained by a taxing entity that is an incorporated city, town, or village shall not exceed 4.5%; the total combined rate of local sales taxes imposed and retained by a county shall not exceed 4.5%; the total combined rate of local sales taxes imposed and retained by the City of St. Louis shall not exceed 9.0%; and for all other taxing jurisdictions, the total combined rate of sales taxes in any given taxing jurisdiction shall not exceed 3.0%. Local Government and Elections Committee. **Heard 1/26. (Support)**

[HB 1503](#) - (Ellebracht) - allows as closed records by local governments the email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications limited to newsletters, notifications, advisories, alerts, and periodic reports. **(Support)** Similar bills are HB 2049 (DeGroot) and SB 930 (Koenig).

[HB 1494](#) (Ellebracht) - directs proceeds of fines collected by an associate circuit court for municipal ordinance violations to be distributed to county schools. **(Oppose)**

[HB 1817](#) (Gray) - exempts food from local sales taxes **(Oppose)**

[HB 2147](#) (Schwadron) - allows cities which contract for fire service to levy up to 1/2 cent sales tax **(Support)**

[HB 1594](#) (Walsh) - repeals the gas tax increase. **Government Oversight Committee (Oppose)**. Similar bills are SB 782 (Moon) and SB 811 (Eigel)

Court Bills

[HB 1499](#) (Ellebracht) - specifies that limits on fines for traffic violations shall not apply if the defendant is represented by counsel and entered into a plea agreement with the court.

[HB 1622](#) (Schroer) - combines the circuit courts of St. Louis City and County.

[HB 1702](#) (Roberts) - no court shall issue a warrant of arrest for a person's failure to respond, pay the fine assessed, or appear in court with respect to a person's first traffic citation issued for an infraction. In lieu of such warrant of arrest, the court shall issue a notice of failure to respond, pay the fine assessed, or appear. Upon application by the driver for a driver's license or driver's license renewal, the department shall deny the application until all delinquent fines and fees in connection with the traffic offense have been satisfied. Upon satisfaction of the delinquent fines and fees, the department shall issue a driver's license to the driver provided such person is otherwise eligible for such license or renewal. For a person's second or subsequent traffic citation issued for an infraction under the provisions of this chapter, the person's license shall be suspended until such person pays any fine assessed or appears in court with respect to such traffic citation.

[HB 2007](#) (Haffner) - allows municipal judges to suspend the driver's license for failure to appear in court for violations of municipal ordinances. **(Support)**

Economic Development Bills

[HB 1598](#) (Falkner) - prohibits a redevelopment project from collecting economic activity taxes or payments in lieu of taxes from any tax whose revenues are dedicated to public safety unless the governing body of the municipality or the commission established under current law has voted to allow the redevelopment project to collect the economic activity taxes or payments in lieu of taxes of that tax. Local Government Committee. Heard 1/13.

[SB 735](#) (Koenig) - requires NIDs, CIDs and TDDs to be terminated upon completion of improvements and satisfaction of debt. Also limits total combined sales taxes of CIDs and TDDs to 3.25% and exempts food. Ways & Means Committee. Heard 1/20. **Passed Committee 1/27.**

[SB 874](#) (Arthur) - allows a school district to exclude real property from a proposed tax increment financing redevelopment area if the school district determines that such redevelopment area will have an adverse effect on such school district. **Ways & Means Committee.**

[SB 908](#) (Koenig) - requires the governing body of a city or county establishing a NID, CID, TDD or TIF to submit to the State Auditor and the Department of Revenue a description of the boundaries of the district, as well as information on assessments made in the district, as described in the act.

Election Bills

[HB 1601](#) (Chipman) - requires a person appointed to elective public office not be delinquent in the payment of state income tax, personal property tax, municipal tax, or real property tax.

[HB 1611](#) (Sassmann) - requires candidates for political subdivision or special district offices that are currently designated as nonpartisan to file an indication of their political party membership, if any, when running for office. Independents may continue to run for such local offices in the same manner. General Laws Committee. **Heard 1/24.**
(Oppose)

[HB 1859](#) (Eggleston) - political subdivisions or special districts shall label ballot measures of any type that are submitted to a vote of the people alphabetically in the order in which they are submitted. **Elections Committee.**

[HB 1911](#) (Shaul) - political subdivisions or special districts shall label ballot measures of any type that are submitted to a vote of the people alphabetically in the order in which they are submitted.

[HJR 91](#) (Eggleston) – upon voter approval the Constitutional amendment would change the process and requirements for initiative petitions seeking a Constitutional amendment. **Hearing 2/1.** Similar to **[HJR 102](#)** (Evans) Elections Committee. **Heard 1/26.**

[SB 1049](#) (Brattin) - requires all candidates for offices in cities, towns, villages, and townships to declare a political party affiliation when filing for office. **(Oppose)**

Miscellaneous Bills

HB 1500 (Ellebracht) - amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances. The bill expands the requirements for preservation of communications through electronic means, including social media accounts, and requires the public entity to produce such records in usable electronic format.

HB 1581 (Mayhew) - provides that, for a city of the fourth classification with no more than 2,000 inhabitants, if a statute or ordinance authorizes the mayor to appoint a member of a local board or commission, any requirement that the appointed person be a resident of the city will be deemed satisfied if the person owns real property or a business in the city.

HB 1584 (Murphy) - requires political subdivisions that require the installation of electric vehicle charging stations at certain businesses to pay the costs associated with the installation, maintenance, and operation of such station. Transportation Committee. Heard 1/12. **Passed Committee 1/26. Referred Rules Committee.**

HB 1588 (Haden) - specifies that the General Assembly occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs. However, a village, town, city, or county can still prohibit dogs from running at large or to further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific. Local Government Committee. **Heard 1/27.**

HB 1614 (Lovasco) - prohibits the state and any political subdivision of the state from making or enforcing any statute, ordinance, or rule regarding the parking of an unlicensed motor vehicle on private property if the vehicle is wholly within the property boundaries, is parked on a surface suitable for a driveway or parking area, and is not supported by any device other than its own tires unless it is being repaired for a period not to exceed 72 hours. The bill also prohibits the state and any political subdivision from making or enforcing any statute, ordinance, or rule, except for a statute, ordinance, or rule restricting air pollution or noise pollution, that would prohibit or penalize a noncorporate owner or renter of a private, single family residence from using the residence in a way that does not pose a clear and present danger to the health or safety of the neighbors, or would require a noncorporate owner or renter of a private residence to use the property in a way contrary to the wishes of the owner or renter.

HB 1615 (Lovasco) - authorizes a member of the General Assembly to serve as an ex officio member of a board, commission, committee, council, or other legislative or regulatory body for any type of political subdivision that overlaps his or her district. Members shall not have voting powers and shall not receive compensation for any service as an ex officio member of such entities. **(Oppose)**

HB 1633 (Morse) - currently, political subdivisions that fail to submit the required annual financial statement to the State Auditor are fined \$500 a day. This bill reduces the fine to an amount of not more than 10% of the total sales and use tax revenue of the fiscal year for which the annual financial statement was not filed for municipalities with fewer than 3,500 inhabitants.

HB 1657 (Hicks) - specifies that the General Assembly occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs. However, a village, town, city, or county can still prohibit dogs from running at large or to further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific. Local Government Committee. **Heard 1/27.**

HB 1661 (Hicks) - adopts the "International Swimming Pool and Spa Code" as it existed on May 1, 2021 and promulgated by the International Code Council, as the county and municipal swimming pool and spa code for the state. The Code applies to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in any county or municipality that elects to regulate pools and spas. Counties and municipalities are authorized to establish procedures for the administration and enforcement of the International Swimming Pool and Spa Code, and are authorized to adopt local amendments to the Code or amendments made by the International Code Council. Economic Development Committee.

HB 1764 (Sander) - any city or county shall have the authority to adopt regulations with respect to outdoor advertising that are more restrictive than the height, size, lighting and spacing provisions of sections 226.500 to 226.600; except that, such regulations shall not have the effect of prohibiting outdoor advertising in its entirety, unless the location proposed is adjacent to a highway designated as a scenic byway under federal law. In locations where outdoor advertising is prohibited under federal or state law due to proximity to a scenic byway, all utilities shall be buried underground.

HB 1837 (Gray) - prohibits 3rd & 4th cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a twelve-month period.

HB 2014 (Kelly) - public governmental bodies may close meetings, records, and votes to the extent they relate to recordings of communications of a public employee.

HB 2049 (DeGroot) - clarifies definitions of public meetings and public records and closes email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications limited to newsletter. **(Support)**

HB 2078 (Schroer) - prohibits political subdivisions from enacting ordinances more restrictive than the Federal Clean Air Act for refrigerants.

HB 2183 (Proudie) - specifies that limited liability companies that own real property in St. Louis County must designate a contact person with the county clerk.

HB 2209 (Hurlbert) - the state, any political subdivision thereof, and any other entity that receives public funds shall not establish, levy, maintain, or collect any fee for parking on any public street or road and shall not use any mechanical or electronic device to receive funds for such a fee including, but not limited to, on-street parking meters.

HB 2288 (Terry) - enacts terms limits of 8 years for mayors in 4th class cities. Changes aldermen to alders.

HB 2437 (Smith) - limits claims brought by political subdivisions against certain entities who are parties to a statewide opioid settlement agreement.

HB 2454 (Murphy) - provides that political subdivisions shall not enforce any ordinances struck down by a court and that the chief executive of the political subdivision may be fined for any such enforcement.

HB 2457 (Burnett) - repeals the state prohibition of local governments regulating paper and plastic bags.

HB 2481 (Mackey) - in a civil action brought by the attorney general against a political subdivision including, but not limited to, school districts, the court shall award attorney's fees, court costs, and all other expenses incurred by the political subdivision or school district in defense of any such action brought if the action is terminated in favor of the political subdivision or school district.

HB 2569 (Quade) - **in a civil action brought by the attorney general against a political subdivision, including school districts, the court shall award attorney's fees, court costs, and all other expenses incurred by the political subdivision or school district in defense of any such action brought if the action is terminated in favor of the political subdivision or school district.**

HB 2593 (Lovasco) - **limits political subdivisions regulations on home based businesses.** **(Oppose)**

SB 697 (Gannon) - a village, town, city, or county may prohibit dogs from running at large or further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific. Local Government Committee.

[SB 724](#) (Hegeman) - if a political subdivision's failure to timely submit annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the political subdivision shall not be subject to a fine if the statement is filed within 30 days of discovery of the fraud or illegal conduct. If the political subdivision has an outstanding balance for fines at the time it files its first annual financial statement after August 28, 2022, the Director of Revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by 90%. If the Director of Revenue determines a fine is uncollectable, the Director shall have the authority to make a one-time downward adjustment to any outstanding penalty. This act provides that if a political subdivision with outstanding fines or penalties fails to file a financial statement after August 28, 2022 and before January 31, 2023 or fails to file any financial statement after January 31, 2023, the Director of Revenue shall notify the Attorney General who shall initiate the process to disincorporate the political subdivision. Local Government Committee. **Heard 1/26.**

[SB 842](#) (Moon) - repeals the prescription drug monitoring program. Public Safety Committee. **(Oppose)**

[SB 867](#) (Koenig) - establishes the statewide mechanical contractor license for mechanical contractors which shall be regulated by the Division of Professional Registration, within the Department of Commerce and Insurance. This act creates the Office of Mechanical Contractors within the Division to carry out the provisions of this act. Political subdivisions may establish their own local mechanical contractor's license but shall recognize a statewide mechanical contractor license in lieu of a local license for the purposes of performing contracting work or obtaining permits to perform work within such political subdivision. No political subdivision may require the employees of a statewide licensed mechanical contractor or its subcontractors or manufacturers' representatives to obtain journeymen licenses, apprenticeship licenses, or occupational licenses that require passing any examination or any special requirements to assess proficiency. **General Laws Committee.**

[SB 891](#) (Moon) - creates recall provisions for elected municipal officials. **Local Government Committee.**

[SB 930](#) (Koenig) - a public governmental body is authorized to close records that are related to email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications. **(Support)**

[SB 1028](#) (Moon) - provides a cause of action against a public body that causes economic detriment to a person for misapplication or unequal enforcement of the law.

Personnel & Employment Bills

[HB 1640](#) - (Seitz) - recognizes posttraumatic stress disorder (PTSD) as an occupational disease, under Chapter 287, RSMo dealing with Workers Compensation, when diagnosed in specified first responders.

[HB 1651](#) (Nurrenbern) - subjects public employers to the state minimum wage law.

[HB 1656](#) (Hicks) - specifies that no political subdivision can require its employees to reside within a jurisdiction. Public Safety Committee. **Heard1/25.**

[HB 1794](#) (Windham) - requires all police officers in St. Louis County to be paid a minimum of \$20 per hour.

[HB 1819](#) (Gray) - during the application or interview process for employment as a peace officer, an applicant shall disclose whether he or she has had any complaints, disciplinary actions, or internal investigations as a peace officer while employed with any other law enforcement agency. If so, he or she shall undergo a psychological evaluation prior to being hired as a peace officer to determine whether he or she can effectively work in the field of law enforcement. If, after the psychological evaluation, the applicant is found qualified, he or she shall receive additional training addressing the issue that resulted in any such complaint, disciplinary action, or internal investigation.

[HB 1825](#) (Gray) - all peace officer recruits shall, upon hire and every three years thereafter, attend a training program that provides community relations, diversity, sensitivity, and cultural competency training. All existing peace officers in this state shall attend a community relations, diversity, sensitivity, and cultural competency training program every three years. Such instruction shall include training through discipline, public information activity, and efficient frontline police work.

[HB 2063](#) (Sauls) - establishes disciplinary procedures for firefighters.

[HB 2064](#) (Sauls) - adds additional conditions for worker compensation claims for firefighters.

[HB 2066](#) (Sauls) - adds additional conditions for worker compensation claims for firefighters.

[HB 2439](#) (Hovis) - adds additional grounds for when the Director of the Department of Public Safety shall discipline peace officers. Crime Prevention Committee. **Hearing 1/31.**

[SB 689](#) (Williams) - adds additional grounds for when the Director of the Department of Public Safety shall discipline peace officers. Public Safety Committee. **Heard 1/25.**

[SB 708](#) (Beck) - provides that post-traumatic stress disorder (PTSD) diagnosed in any person who is a firefighter, police officer, emergency medical technician, emergency medical dispatcher or other first responder shall be presumed as an occupational disease resulting from employment if the person has completed at least 5 years of employment and the person was examined by a medical professional upon commencing employment and the examination failed to reveal any evidence of PTSD. Insurance Committee.

[SB 728](#) (Onder) - establishes the "Public Employee Janus Rights Act," permitting a public body to withhold fees from public employee paychecks for the purpose of paying any portion of labor organization dues, agency shop fees, or any other fees paid to a labor organization only with the written, informed consent of the public employee. The act also requires the public employee's written, informed consent for labor organizations to use such fees or dues for political purposes. Any authorization required by this act may be in written or electronic form. Any authorization must be submitted to the public body employer before such fees may be withheld. Furthermore, the employer shall require clear and compelling evidence that the authorization was freely given. Any consent given by an employee may be revoked at any time. Failure to comply with these requirements on the part of an employer shall result in a fine of no more than \$500 per violation. General Laws Committee.

[SB 854](#) (Washington) - the POST Commission and the Attorney General shall each create and maintain a database that shall store public data related to officer misconduct. Each law enforcement agency shall submit individual officer data which shall be redacted of personal identifying information of the officer. Public Safety Committee.

Public Safety Bills

[HB 1459](#) (Brown) - repeals Section 21.750 in which the General Assembly preempts the entire field of firearms regulation. Political subdivisions will now be able to regulate firearms in any manner allowed by state and federal law and that is consistent with their police powers or charter.

[HB 1462](#) (Schnelting) - allows a concealed carry permit holder to lawfully carry firearms on public transportation, as defined in the bill. Anyone with a permit may also carry a firearm while traveling by bus. General Laws Committee. **Hearing 1/31.**

[HB 1476](#) (Schroer) - returns the control of the City of St. Louis Police Department back to the Board of Police Commissioners.

[HB 1568](#) (Sharp) - a person commits the offense of unlawful discharge of a firearm if that person, with criminal negligence, discharges a firearm within or into the limits of any municipality.

[HB 1582](#) (Murphy) - prohibits tampering with multiple car doors.

[HB 1660](#) (Hicks) - allows concealed carry permit holders to lawfully carry firearms on public transportation. "Public transportation system" is defined in the bill. In addition, this bill exempts persons transporting non-functioning or unloaded firearms on buses from the crimes prohibiting the possession of weapons on buses. General Laws Committee. **Hearing 1/31.**

[HB 1698](#) (Baker) - allows firearms in churches and other places of worship with a concealed carry permit.

[HB 1731](#) (Barnes) - establishes the offenses of harassment of a school or recreation athletic official and entry or remaining on site of a school or recreation athletic contest after being forbidden. **(Support)**

[HB 1759](#) (Dogan) - requires law enforcement agencies to adopt written investigation policies for officer-involved deaths.

[HB 1780](#) (Windham) - requires law enforcement officers to give persons under arrest forty-eight hours to arrange for their motor vehicle to be removed before authorizing a towing company to remove a motor vehicle.

[HB 1823](#) (Gray) - requires law enforcement agencies to adopt written investigation policies for officer-involved deaths.

[HB 1865](#) (Rowland) - a person commits the offense of unlawful discharge of a firearm if that person, with criminal negligence, discharges a firearm within or into the limits of any municipality.

[HB 1912](#) (Schroer) - allows firearms in churches and other places of worship with a concealed carry permit.

[HB 1915](#) (Schroer) - a person commits the offense of unlawful discharge of a firearm if that person, with criminal negligence, discharges a firearm within or into the limits of any municipality.

[HB 2154](#) (Perkins) - the costs of installing a fire hydrant, excluding dry fire hydrants, within the city limits of an incorporated city shall be paid by the city. If a city cannot or does not pay for the installation of such a fire hydrant, the city shall not require the installation of any such fire hydrant. Public Safety Committee. **Heard 1/25.**

[HB 2422](#) (Manlove) - prohibits carotid restraints, except under certain circumstances, and provides for peace officer dismissal and license revocation based on improper use of choke-holds and carotid restraints.

[HB 2432](#) (Roden) - returns the control of the City of St. Louis Police Department back to the Board of Police Commissioners.

[SB 795](#) (Washington) - modifies provisions relating to police use of force. Judiciary/Criminal Jurisprudence Committee.

[SB 804](#) (Onder) - a person carrying a concealed firearm who possesses a valid concealed carry permit or endorsement shall not be prohibited from accessing or using any public transportation system. The person may not be harassed or detained for carrying a concealed firearm on the property, vehicles, or conveyances owned, contracted, or leased by such systems that are accessible to the public. Additionally, an employee of the Bi-State Development Agency may carry a weapon into any facility or conveyance of the agency. General Laws Committee. **Heard 1/25.**

[SB 859](#) (Mosley) - creates police protection districts which shall be a political subdivision organized and empowered to supply protection to people and property from crimes and hazards, to render first aid for the purpose of saving lives, and to give assistance in the event of an accident or emergency. The police protection district must consist of contiguous tracts or parcels of property containing all or parts of one county and may include, in whole but not in part, any city, town, or village. Public Safety Committee.

[SB 1012](#) (Eigel) - returns St. Louis City police to state control under a board of commissioners appointed by the Governor.

[SB 1033](#) (Rizzo) - repeals provisions relating to law enforcement officers who enforce certain federal laws or who provide material aid to federal law enforcement officers.

Taxation & Revenue Bills

[HB 1583](#) (Murphy) - if, prior to the expiration of a temporary levy increase, voters approve a subsequent levy increase, the new tax rate ceiling shall remain in effect only until such time as the temporary levy expires under the terms originally approved by a vote of the people, at which time the tax rate ceiling shall be decreased by the amount of the temporary levy increase. If, prior to the expiration of a temporary levy increase, voters of a political subdivision are asked to approve an additional, permanent increase to the political subdivision's tax rate ceiling, voters shall be submitted ballot language that clearly indicates that if the permanent levy increase is approved, the temporary levy shall be made permanent. Ways & Means Committee. Heard 1/12. Passed Committee 1/19. **Referred Rules Committee.**

[HB 1733](#) (O'Donnell) - Requires auto dealers to collect and remit sales tax on motor vehicle sales.

[HB 1740](#) (Dogan) - prohibits telecommuting work from being subject to earnings taxes. **Workforce Development Committee.**

[HB 1779](#) (Windham) - removes the state sales tax on any retail sales on food and imposes a tax on the transfer of every decedent's estate in the state that has a value of at least \$25,000.

[HB 2214](#) (Hurlbert) - allows any municipality to levy up to 1/2 cent sales tax for public safety. Also allows any municipality with a fire department, municipality contracting for fire service or fire district to levy and additional 1/2 cent sales tax for fire service. All taxes must be approved by a 4/7 vote. The League has long opposed sales tax authority for County fire districts.

[HB 2220](#) (Falkner) - relates to penalties for failure to file annual municipal finance reports. Penalties could include disincorporation. **Local Government Committee.**

[HB 2467](#) (Merideth) - any political subdivision may adopt an order, ordinance, or regulation increasing the tax levied on cigarettes and tobacco products within the boundaries of such political subdivision, subject to voter approval.

[HB 2530](#) (Sauls) - **exempts food from local sales tax. (Oppose)**

[HJR 67](#) (Ellebracht) - constitutional amendment to prevent the increase of assessments of residential, real property by more than 3% in any calendar year.

[HJR 90](#) (Terry) - Reduces property tax assessments on senior citizens and disabled persons by fifty percent.

[SB 911](#) (Eigel) - for the 2022 and 2023 calendar years, this act requires each political subdivision to reduce its property tax levy such that the amount of tax revenue generated by such tax levy shall be reduced by an amount that is substantially equal to the total amount of funds received by such political subdivision pursuant to the American Rescue Plan Act of 2021 during such calendar years. Clearly violates federal law. **(Oppose)**

[SB 967](#) (Hough) - requires all motor vehicle dealers to apply to collect and remit sales tax on motor vehicles sold by such dealer.

Transportation and Vehicle Bills

[HB 2007](#) (Haffner) - currently, if a driver is charged with a moving violation and fails to dispose of the charges as ordered without good cause, the court informs the resident that it WILL instruct the Department of Revenue to suspend the defendant's driver's license until charges are properly disposed. Under this bill, the court will inform the defendant that it MAY instruct the Department of Revenue to suspend the defendant's license.

[SB 782](#) (Moon) - repeals the gas tax increase. Transportation Committee. **(Oppose)**

[SB 811](#) (Eigel) - repeals the gas tax increase. Transportation Committee. **(Oppose)**

Utility Bills

[HB 2016](#) (Black) – allows any political subdivision of the state to form a broadband infrastructure improvement district. In addition, the board of a district may allow the inclusion of a private entity, as defined in the bill, in the district.

[HB 2353](#) (Riggs) - authorizes political subdivisions to form broadband infrastructure improvement districts.

[SB 1074](#) (Hegeman) - no federal funds received by the state or a political subdivision shall be expended for the construction of broadband internet infrastructure unless the project to be constructed is located in an "unserved area" or "underserved area", and the project will provide broadband internet service to customers at certain speeds as stated in the act.