

Subject Internet Service Provider Requirements; Adherence to Net Neutrality

Authors Kraft and Others

Analyst Mary Davis

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Overview

This bill prohibits certain activities that were previously prohibited under the net neutrality rules adopted by the Federal Communications Commission. The bill requires Internet service providers to provide content neutral services and prohibits paid prioritization of traffic when providing Internet service to people in Minnesota. The bill provides for enforcement mechanisms through investigation by the Department of Commerce.

Summary

Section	Description
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1	Internet service providers; prohibited actions.
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Subd. 1. Definitions. Defines broadband Internet access service, edge provider, Internet service provider, and paid prioritization.

Subd. 2. Prohibited actions. Prohibits Internet service providers from:

- blocking or changing the quality of traffic for lawful content, service, and devices;
- engaging in paid prioritization by favoring certain Internet traffic over other traffic for money, or in an effort to provide a benefit to an affiliated party;
- unreasonably interfering or disadvantaging a customer or edge provider's ability to select Internet service, content, applications, services, or devices;
- engaging in deceptive or misleading marketing practices that do not accurately reflect how they treat Internet content or traffic; or
- allowing priority for certain data on customer's data usage allowance.

Subd. 3. Certification required. Requires Internet service providers to file a certification with the Department of Commerce prior to providing Internet

Section **Description**

service to Minnesota customers indicating they will not engage in any of the activities listed in subdivision 2.

Subd. 4. Exceptions. Exempts federal, state, and Tribal government software applications so that government services can be offered free or with improved access.

Subd. 5. Other laws. Nothing in this section supersedes the requirements of emergency communication with law enforcement, public safety, or national security as provided by other applicable law.

Subd. 6. Enforcement. Provides that violations of the prohibitions in this section can be enforced by the commissioner of commerce.



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