

Texas bill would ban internet throttling in disaster areas

Earlier this week, a member of the Texas state legislature introduced a bill that would make it a crime for a telecommunications company, like Verizon or AT&T, to throttle internet service in declared disaster areas, according to KUT News.

This Texas bill, HB 1426, doesn't go any further to codify net neutrality rules, only prohibiting carriers from restricting internet access in disaster areas. It does not ban behaviors like throttling in any other scenarios.

Over 100 other bills regarding net neutrality have been introduced at the state level following the Federal Communications Commission's move to roll back the protections in 2017. Republican commissioners, like Chairman Ajit Pai, have argued that even without Title II or "utility" classification protections, carriers wouldn't choose to throttle or block internet access across the country.

"The fact that this is now bubbling up at the state level is a good sign," said Evan Greer, deputy director of Fight for the Future, said. "But in reality, we need the FCC to actually do its job and ensure that these companies aren't acting in ways that put the public in danger."

Last week, the US Court of Appeals for DC heard arguments from both the FCC and several petitioners who argued that the agency's repeal of net neutrality rules was unlawful in a number of ways. Some were more convincing than others, it appeared, to the judge. However, the public safety argument that falls in the same vein as this Texas bill was the one

that appeared to be the most important.

A petitioner argued that due to the FCC's repeal, Verizon was able to legally slow down device speeds for the Santa Clara County fire department in California and made it more difficult for the firefighters to provide emergency services. Due to the repeal, the FCC would have no jurisdiction as to go after Verizon for this behavior.

<https://www.theverge.com/2019/2/9/18217608/texas-bill-hb-1426-throttle-verizon-att-net-neutrality-fcc-ajit-pai>