AN ACT concerning advanced telecommunications services; relating to
internet service providers and net neutrality; relating to state contracts;
requirements to receive state contracts.

Be it enacted by the Legislature of the State of Kansas:
Section 1. (a) The legislature finds and declares that:
(1) The state of Kansas is a significant purchaser of internet services;
(2) implementation of the principles of net neutrality is necessary for
the state to ensure efficient procurement of goods and services and to
ensure delivery of predictable, stable and high quality internet services;
and
(3) a majority of state services are exclusively online and, without
principles of net neutrality in place, internet service providers could limit
Kansas citizens' ability to receive state services, which could dramatically
depth the digital divide and exacerbate challenges faced by the poorest
citizens in accessing state services.
(b) The state shall not enter into a contract with any internet service
provider that fails to meet the requirements of this section. To be eligible
to receive a contract from the state for the provision of internet services:
(1) An internet service provider shall not:
(A) Block lawful content, applications, services or nonharmful
devices, subject to reasonable network management that is disclosed to the
consumer;
(B) throttle, impair or degrade lawful internet traffic on the basis of
internet content, application or service, or use of a nonharmful device,
subject to reasonable network management that is disclosed to the
consumer;
(C) engage in paid prioritization; or
(D) unreasonably interfere with or unreasonably disadvantage:
(i) End users' ability to select, access and use internet services or
lawful internet content, applications, services or devices of their choice; or
(ii) a content, application, service or device provider's ability to make
lawful content, applications, services or devices available to end users.
(2) An internet service provider shall publicly disclose to all of its
customers in the state:
(A) Information upon the network and internet transport management
practices for all internet services; and
(B) performance and commercial terms of the provider's internet services sufficient for consumers to make informed choices regarding the use of such services and for content, application, service or device providers to develop, market and maintain internet offerings.
(c) The secretary of administration may adopt rules and regulations for the administration of this act.
(d) As used in this section:
(1) "Internet service" means a mass-market retail service that provides the capability to transmit data to and receive data from all or substantially all internet endpoints without regard to delivery technology or infrastructure used to provide such service.
(2) "State" means this state or any agency, institution, department, board, commission, office or officer of this state.
Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.