California net neutrality bill clears key hurdle

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The California Assembly voted Wednesday to enshrine net neutrality in state law, delivering a major victory to advocates looking to require an equal playing field on the internet.

In the latest effort by California lawmakers to drive national policy and rebuff President Donald Trump, lawmakers approved one of the nation's most aggressive efforts to revive regulations repealed last year by the Federal Communications Commission. The rules prevented internet companies from exercising more control over what people watch and see

on the internet.

The 58-17 vote Thursday was surprisingly lopsided after the Assembly was seen as a potential barrier to the bill's passage. It returns to the Senate, which passed an earlier version and is expected to sign off on changes from the Assembly before the Legislature adjourns on Friday.

"We all know why we're here. It's pretty clear," said Assemblyman Miguel Santiago, a Los Angeles Democrat. "The Trump administration destroyed the internet as we know it."

The Assembly's vote followed months of intense lobbying from internet companies, which warned that it would lead to higher costs.

California's net neutrality debate is being closely watched by advocates around the country, who are looking to the home of Silicon Valley to pass sweeping net neutrality provisions that could drive momentum in other states or create pressure for Congress to enact nationwide protections.

"Net neutrality is not dead. It's coming back with a vengeance," said Evan Greer, deputy director of Fight for the Future, an advocacy group that is pushing to preserve net neutrality.

Internet providers say they've publicly committed to upholding the values of net neutrality, but strict rules like California's would inhibit investment in faster technology. They say it's unrealistic to expect them to comply with internet rules that vary across the country.

"Consumers expect a single, national approach to keeping our internet open, not the confusing patchwork of conflicting requirements passed today, Jonathan Spalter, president & CEO the broadband industry group USTelecom, said in a statement.

The California legislation "keeps the country strapped into a roller coaster ride of state net neutrality regulations," he said.

The measure, if signed by Gov. Jerry Brown, is likely to face a legal challenge. The FCC has declared that states cannot pass their own net neutrality rules, though proponents of the California legislation say that only Congress can tie California's hands.

"President Trump didn't ruin the internet. President Trump didn't change the internet," said Melissa Melendez, a Republican from Lake Elsinore in Southern California. "You're wading into an area where you have no business being."

Six Republicans joined nearly all Democrats in supporting the legislation.

Net neutrality advocates worry that, absent rules prohibiting it, internet providers could create fast lanes and slow lanes that favor their own sites and apps or make it harder for consumers to see content from their competitors.

That could limit consumer choice or shut out upstart companies that can't afford to buy access to the fast lane, critics worry.

Santiago, who steered the bill through the Assembly, faced a flood of angry calls and online memes when a committee he leads briefly watered down the bill earlier this year. The stronger provisions were later restored.

The bill, written by Democratic Sen. Scott Wiener of San Francisco, would prohibit internet providers from blocking or slowing data based on its content or from favoring websites or video streams from companies that pay extra.

It also would ban so-called "zero rating," in which internet providers don't count certain content against a monthly data cap. It would prohibit, for example, AT&T from exempting videos from CNN or other outlets it owns from a monthly data cap that applies to competitors.

Critics say the ban on zero rating will raise cellphone bills and make it harder for poor people to access streaming video since it would all count against their monthly data allotment. Wiener says zero rating encourages smaller data allotments and makes it harder for people to access diverse online content.

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