

IN THE SENATE

SENATE BILL NO. 1333

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE AD-
2 DITION OF A NEW SECTION 33-910, IDAHO CODE, TO PROVIDE THE BROADBAND IN-
3 FRASTRUCTURE IMPROVEMENT GRANT FUND AND RELATED PROVISIONS, TO REQUIRE
4 RULEMAKING AND TO DEFINE A TERM; AND DECLARING AN EMERGENCY.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 9, Title 33, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 33-910, Idaho Code, and to read as follows:

10 33-910. BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT FUND -- RULEMAK-
11 ING -- DEFINITIONS. (1) There is hereby created in the state treasury a fund
12 to be known as the broadband infrastructure improvement grant fund. The fund
13 shall consist of moneys made available through legislative transfers or ap-
14 propriations, and from any other governmental source. Interest earned from
15 the investment of moneys in the fund shall be retained in the fund. Subject
16 to appropriation, moneys in the fund shall be expended by the state depart-
17 ment of education to invest in special construction projects for high-speed
18 broadband connections to E-rate eligible entities that receive E-rate fund-
19 ing.

20 (2) The state department of education shall create and make available a
21 grant application form for moneys in the fund. The state department may de-
22 termine eligibility qualifications and applicant priority. Any E-rate el-
23 igible entity may apply to the state department for a grant from the fund
24 for up to ten percent (10%) of the cost of an eligible special construction
25 project. In order to receive moneys from the fund, the contract for such con-
26 struction project must contain a provision that the constructing provider of
27 the project will make any dark fiber laid pursuant to the contract available
28 for use by any other provider.

29 (3) The state board of education shall promulgate rules to implement
30 the provisions of this section. Such rules shall be consistent with the
31 federal communications commission's second E-rate modernization order that
32 provides for additional category one funding up to ten percent (10%) to match
33 state funding for special construction charges for high-speed broadband
34 connections.

35 (4) For the purposes of this section, "E-rate eligible entity" means
36 Idaho public schools grades K through 12, the Idaho digital learning acad-
37 emy, the Idaho department of juvenile corrections education programs, the
38 school for the deaf and blind and the Idaho public libraries.

39 SECTION 2. An emergency existing therefor, which emergency is hereby
40 declared to exist, this act shall be in full force and effect on and after its
41 passage and approval.