

IN THE SENATE

SENATE BILL NO. 1034, As Amended

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-910, IDAHO CODE, TO REMOVE A RE-
2 QUIREMENT FOR A BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT, TO REVISE
3 THE DUTY OF THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES AND
4 TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.
5

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

7 SECTION 1. That Section 33-910, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-910. BROADBAND INFRASTRUCTURE IMPROVEMENT GRANT FUND -- RULEMAK-
10 ING -- DEFINITIONS. (1) There is hereby created in the state treasury a fund
11 to be known as the broadband infrastructure improvement grant fund. The fund
12 shall consist of moneys made available through legislative transfers or ap-
13 propriations, and from any other governmental source. Interest earned from
14 the investment of moneys in the fund shall be retained in the fund. Subject
15 to appropriation, moneys in the fund shall be expended by the state depart-
16 ment of education to invest in special construction projects for high-speed
17 broadband connections to E-rate eligible entities that receive E-rate fund-
18 ing.

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

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

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

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