

2022 -- S 2883 SUBSTITUTE A

LC005824/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND
BROADBAND DEVELOPMENT PROGRAM

Introduced By: Senator James Arthur Seveney

Date Introduced: April 15, 2022

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 162

4 THE RHODE ISLAND BROADBAND DEVELOPMENT PROGRAM

5 **42-162-1. Definitions.**

6 As used in this chapter, the following words shall have the following meanings:

7 (1) "Broadband advisory council" or "council" means the broadband advisory council
8 established pursuant to the provisions of § 42-162-3.

9 (2) "Broadband director" or "director" means the broadband coordinator designated
10 pursuant to the provisions of § 42-162-2.

11 (3) "Broadband service" means any wireline or fixed wireless technology having the
12 capacity to transmit data from or to the Internet at minimum speeds of at least one hundred (100)
13 megabits per second downstream and twenty (20) megabits per second upstream.

14 (4) "Digital literacy" means the ability to use information and communication technologies
15 to find, evaluate, create and communicate information, requiring both cognitive and technical skills;

16 (5) "IIJA" means the federal Infrastructure Investment and Jobs Act, Pub. L. No. 117-58
17 (2021) relating to broadband found at Division F, Title I.

18 (6) "Unserved" means a geographic location of the state in which there is no provider of

1 broadband Internet service that offers dedicated Internet access with a capacity for transmission at
2 a consistent speed of at least twenty-five (25) megabits per second downstream and at least three
3 (3) megabits per second upstream.

4 (7) "Underserved" means a geographic location of the state in which there is no provider
5 of broadband Internet service that offers dedicated Internet access with a capacity for transmission
6 at a consistent speed of at least one hundred (100) megabits per second downstream and at least
7 twenty (20) megabits per second upstream.

8 **42-162-2. Broadband director.**

9 An employee of the commerce corporation shall be designated by the secretary of
10 commerce as the broadband director. The broadband director shall be responsible for connecting
11 and communicating with the National Telecommunications and Information Administration
12 (NTIA) and other federal agencies, as appropriate, to access federal funds for broadband
13 infrastructure deployment solely pursuant to the IJA, facilitating broadband service adoption,
14 expanding digital literacy for residents experiencing economic hardship, and for future economic
15 development. The broadband director shall meet no less than quarterly with the broadband council.
16 The broadband director shall perform such other duties as assigned by the secretary of commerce.

17 **42-162-3. Broadband advisory council established.**

18 (a) There is hereby established a broadband advisory council for the purpose of performing
19 the duties enunciated in § 42-162-4.

20 (b) The council shall consist of the following nine (9) members:

21 (1) Rhode Island emergency management agency director, or designee.

22 (2) Rhode Island League of Cities and Towns executive director, or designee.

23 (3) A representative of the Boys and Girls Clubs appointed by the senate president.

24 (4) Rhode Island infrastructure bank executive director, or designee.

25 (5) Providence chamber of commerce president, or designee.

26 (6) A member of an organization representing disadvantaged communities, appointed by
27 the speaker of the house.

28 (7) A telecommunications expert appointed by the governor.

29 (8) A telecommunications expert appointed by the senate president.

30 (9) A telecommunications expert appointed by the speaker of the house.

31 (c) Members of the council shall designate a chairperson.

32 (d) Members of the council shall serve without compensation.

33 (e) Vacancies shall be appointed in the same manner as the original appointment.

34 **42-162-4. Duties and powers of broadband advisory council.**

1 (a) The council in the performance of its duties, shall do all the following:

2 (1) Advise the broadband director and develop a strategic plan that addresses the objectives
3 enumerated in § 42-162-2. The plan shall include recommendations for federal funds to be used to:

4 (i) Facilitate targeted high-speed broadband infrastructure projects consistent with
5 requirements set forth in the IJJA through competitive requests for proposals that requires the
6 winning bidder to contribute not less than twenty-five percent (25%) of project costs; provided
7 further, for any federal funds from the IJJA used for broadband infrastructure projects, the council
8 and the commerce corporation shall establish a challenge process, with reasonable timelines,
9 through which information may be provided to the state to challenge a determination as to whether
10 a particular location is eligible for grant funds under the IJJA;

11 (ii) Provide subsidized computing devices, Internet service plan support, including in-home
12 equipment, and digital literacy services to targeted populations experiencing economic hardship
13 including, but not limited to, persons eligible for the temporary assistance for needy families
14 program, the federal supplemental nutrition assistance program, the federal communications
15 commission's affordable connectivity program, the federal communications commission's lifeline
16 program, and those whose household includes a child who is eligible for free or reduced price
17 lunch;

18 (iii) Provide information and advice to increase education, awareness, training, access,
19 equipment, and support about available broadband adoption programs to libraries, schools, colleges
20 and universities, health care providers, and community support organizations; and

21 (iv) In consultation with the governor's workforce board, develop a statewide curriculum
22 for advanced digital skills training to establish a talent pipeline matching job seekers and
23 historically underrepresented populations and Rhode Island employers.

24 (b) The council shall work in collaboration with the commerce corporation and other quasi-
25 public and nonprofit entities and state agencies, as appropriate, and may provide advisory assistance
26 for the purposes of addressing the objectives enumerated in § 42-162-2.

27 **42-162-5. Funding.**

28 In addition to any appropriations by the state for the council to perform its duties, the
29 broadband director, in coordination with the broadband advisory council, shall apply for and accept
30 any federal funds or grants made available pursuant to the IJJA as appropriate to perform the
31 functions of this chapter.

32 **42-162-6. Administrative support to broadband advisory council.**

33 The commerce corporation shall be responsible for providing administrative and other
34 support services to the council.

1 **42-162-7. Meetings and reporting.**

2 The council shall meet at least quarterly and shall report at least annually on or before
3 December 31 of each year to the general assembly on its findings and recommendations to include,
4 but not limited to, recommendations for proposed legislation to further the purposes of this chapter.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND
BROADBAND DEVELOPMENT PROGRAM

1 This act would establish a development program to increase and administer the adoption
2 of broadband services for local and statewide entities, both public and private, to be funded by the
3 state appropriations and federal funds. This act would also expand broadband services to unserved
4 and underserved areas of the state.

5 This act would take effect upon passage.

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