

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 127

BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE

AN ACT

1 RELATING TO THE IDAHO BROADBAND FUND; AMENDING CHAPTER 47, TITLE 67, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 67-4760, IDAHO CODE, TO ESTABLISH
3 THE IDAHO BROADBAND FUND; AMENDING CHAPTER 47, TITLE 67, IDAHO CODE,
4 BY THE ADDITION OF A NEW SECTION 67-4761, IDAHO CODE, TO ESTABLISH THE
5 IDAHO BROADBAND ADVISORY BOARD; AND DECLARING AN EMERGENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 47, Title 67, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 67-4760, Idaho Code, and to read as follows:

11 67-4760. IDAHO BROADBAND FUND. There is hereby created in the state
12 treasury the Idaho broadband fund that will consist of such sums as may be
13 appropriated by the legislature for the purpose of providing financial as-
14 sistance in broadband infrastructure to promote equal access in economic de-
15 velopment, public safety, telehealth, and education. Expenditures from the
16 fund will be prioritized based on the statewide broadband plan developed by
17 the Idaho broadband advisory board established pursuant to section 67-4761,
18 Idaho Code, and must be approved by the board. Interest earnings from the in-
19 vestment of moneys in this fund by the state treasurer shall be returned to
20 the fund.

21 SECTION 2. That Chapter 47, Title 67, Idaho Code, be, and the same is
22 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
23 ignated as Section 67-4761, Idaho Code, and to read as follows:

24 67-4761. IDAHO BROADBAND ADVISORY BOARD. (1) There is hereby created
25 within the department of commerce the Idaho broadband advisory board. The
26 advisory board shall consist of three (3) members of the house of represen-
27 tatives appointed by the speaker of the house of representatives, three (3)
28 members of the senate appointed by the president pro tempore of the senate,
29 and three (3) members of the public appointed by the governor.

30 (2) The advisory board shall be responsible for creating a statewide
31 broadband plan that will determine the manner of structuring, prioritizing,
32 and dispersing grants from the Idaho broadband fund to areas of the state
33 that are most in need and shall have the authority to determine which broad-
34 band projects are undertaken pursuant to this section. In the preparation,
35 adoption, and implementation of the statewide broadband plan, the advisory
36 board shall solicit the participation and assistance of state agencies with
37 pertinent expertise. All agencies of the state of Idaho shall cooperate with
38 the advisory board by providing requested research, information, and stud-
39 ies pertaining in any manner to the statewide broadband plan.

1 (3) Once the statewide broadband plan has been adopted by a majority
2 vote of the broadband advisory board, copies of the plan shall be filed in the
3 office of the governor, posted on the website of the advisory board or the de-
4 partment of commerce, and published and distributed in any other manner de-
5 termined appropriate by the advisory board.

6 (4) Following adoption of the statewide broadband plan, the board shall
7 administer the implementation of the plan and shall maintain and revise the
8 plan as necessary.

9 (5) Any state agency may petition the board to revise the statewide
10 broadband plan. The board shall review any petition filed pursuant to this
11 section within three (3) months after it is filed and shall either take ac-
12 tion to revise the broadband plan or set forth its reasons for denying the
13 request in writing.

14 SECTION 3. An emergency existing therefor, which emergency is hereby
15 declared to exist, this act shall be in full force and effect on and after its
16 passage and approval.