

JAN 22 2021

A BILL FOR AN ACT

RELATING TO BROADBAND INFRASTRUCTURE FOR RURAL COMMUNITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the coronavirus
2 disease 2019 (COVID-19) pandemic has heightened the demand for
3 reliable, affordable internet connectivity as work, education,
4 and access to services have shifted online. Improving access to
5 broadband in unserved and underserved areas of Hawai'i fulfills a
6 fundamental governmental purpose and function, and provides
7 public benefits to the residents of Hawai'i by increasing access
8 to health care, advancing education and essential services,
9 providing economic development and diversification, increasing
10 civic participation, and enhancing public health and safety.

11 The Federal Communications Commission's 2018 broadband
12 deployment report showed improvements in nearly every area of
13 advanced telecommunications services, but there are still
14 significant gaps specific to rural and other low-density areas.
15 Many rural, agricultural, and lower-income communities
16 throughout the State lack access to reliable and affordable
17 broadband, which creates barriers to healthcare access,



1 educational equity, sustainable agriculture, emergency response
2 capabilities, and economic development, leaving residents
3 technologically and economically isolated and competitively
4 disadvantaged.

5 While providing high-speed broadband networks to areas with
6 challenging terrain and low populations is difficult, increased
7 broadband access can enable telemedicine, distance learning, and
8 online access to the workplace and marketplace for residents of
9 struggling families and unemployed workers. Broadband access
10 can protect public health during the COVID-19 pandemic, while
11 addressing socioeconomic disparities for the most vulnerable
12 Hawai'i residents, especially in historically marginalized,
13 desolate, and isolated communities.

14 The legislature further finds that Coronavirus Aid, Relief,
15 and Economic Security (CARES) Act passed by Congress and signed
16 into law in March 2020 provided more than \$2,000,000,000,000 in
17 economic stimulus to address the pandemic. Among its
18 provisions, the Act created the Coronavirus Fund, designating
19 \$150,000,000,000 for payments "to state, local, and tribal
20 governments navigating the impact of the COVID-19 outbreak."



1 In addition, the Emergency Coronavirus Relief Act of 2020
2 passed by Congress and signed into law in December 2020
3 provides:

4 (1) \$6,250,000,000 for State Broadband Deployment and
5 Broadband Connectivity grants to bridge the digital
6 divide and ensure affordable access to broadband
7 during the COVID-19 pandemic;

8 (2) \$3,000,000,000 for an Emergency Educational
9 Connectivity Fund to provide e-rate support to
10 educational and distance learning providers to provide
11 hotspots, devices, and other connected devices, and
12 advance digital equity/inclusion (with funds
13 prioritized to rural areas with the highest need);

14 (3) \$475,000,000 for the Federal Communications
15 Commission's telehealth program to support efforts of
16 healthcare providers to address coronavirus, including
17 a twenty per cent set aside for small, rural health
18 providers;

19 (4) \$300,000,000 for rural broadband deployment;

20 (5) \$100,000,000 to Department of Veterans Affairs for
21 Telehealth and Connected Car Program to purchase,



1 maintain, and refresh devices, and services to
2 veterans for provision of access to telehealth
3 services; and

4 (6) \$98,000,000 to improve broadband mapping.

5 The legislature finds that funding broadband is a necessary
6 expenditure due to the public health emergency with respect to
7 COVID-19. With the arrival of the funding from the CARES Act
8 and the Emergency Coronavirus Relief Act of 2020, the
9 legislature believes that the department of transportation and
10 department of business, economic development, and tourism should
11 direct any future federal funding into grant programs that would
12 fund projects to expand broadband infrastructure and keep
13 households connected, especially to those rural, unserved and
14 underserved communities that have been historically overlooked
15 in the development of broadband infrastructure.

16 The purpose of this Act is to establish a task force to
17 expand digital inclusion and adoption to achieve digital equity
18 to ensure that all individuals and communities, especially the
19 most disadvantaged and geographically isolated, have access to
20 information and modern communication technologies.



1 SECTION 2. (a) The department of transportation and
2 department of business, economic development, and tourism shall
3 jointly convene a broadband equity task force to expand digital
4 inclusion and adoption to achieve digital equity for residents
5 of rural communities. The department shall proactively apply
6 for any future federal funding that becomes available to fund
7 grants for broadband infrastructure for unserved and
8 underserved, desolate, and historically marginalized areas.

9 Specifically, the task force shall consider:

- 10 (1) Applying for all available sources of federal funding
11 for broadband infrastructure for unserved and
12 underserved areas;
- 13 (2) Ensuring that the CARES Act and Emergency Coronavirus
14 Relief Act of 2020 funding previously obtained for
15 broadband services are primarily used to fund grants
16 for critical broadband infrastructure to meet current
17 needs of those in unserved and underserved, rural,
18 historically marginalized communities; and
- 19 (3) Securing broadband access sites throughout unserved
20 and underserved areas.



1 (b) The director of transportation and the director of
2 business, economic development, and tourism or the directors'
3 designees shall serve as co-chairpersons of the broadband equity
4 task force and shall invite the following individuals or their
5 designee to serve as members of the task force:

6 (1) The administrator of the cable television division of
7 the department of commerce and consumer affairs;

8 (2) The mayors of the counties of Hawai'i, or the mayors'
9 designee;

10 (3) Four representatives of federal, state, and county
11 government entities having a role in infrastructure
12 deployment; management of public rights-of-way,
13 regulation, and franchising; information technology;
14 and economic development; and

15 (4) Four representatives of Hawai'i's private sector
16 technology, telecommunications, and investment
17 industries; and

18 (5) Any other individuals as determined by the director of
19 business, economic development, and tourism or the
20 department of transportation.



1 (c) The members of the broadband access equity task force
2 shall serve without compensation but shall be reimbursed for
3 expenses, including travel expenses, necessary for the
4 performance of their duties.

5 (d) The broadband access equity task force shall be exempt
6 from chapter 92, Hawaii Revised Statutes, and shall act in an
7 advisory capacity.

8 (e) The department of transportation and department of
9 business economic, development, and tourism shall submit a joint
10 report of the broadband access equity task force's findings and
11 recommendations, including any proposed legislation, to the
12 legislature no later than twenty days prior to the convening of
13 the regular session of 2022. The report shall include an
14 accounting of:

15 (1) All funds that the task force has applied for from
16 federal government programs and funds previously
17 obtained under the CARES Act and Emergency Coronavirus
18 Relief Act of 2020; and

19 (2) All grant amounts dispersed by the State for the
20 purpose of immediately expanding broadband access in
21 unserved and underserved areas.

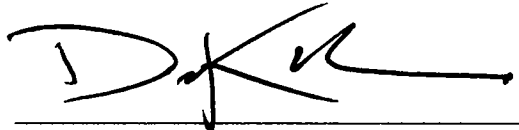


S.B. NO. 850

1 (f) The broadband access equity task force shall cease to
2 exist on June 30, 2023.

3 SECTION 3. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: 



S.B. NO. 850

Report Title:

DBEDT; DOT; CARES Act; Broadband; Unserved and Underserved Areas; Digital Equity

Description:

Creates a task force jointly convened by the department of transportation and department of business, economic development, and tourism to provide equitable broadband access for historically marginalized, unserved, and underserved rural communities. Requires the task force to apply for federal moneys for broadband access. Requires the departments' report to include the findings of the task force and an accounting of amounts received from the CARES Act and Emergency Coronavirus Relief Act of 2020 and grants disbursed by the State for broadband infrastructure for rural communities.

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