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# 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 provided:

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 access equity task force to expand  
4 digital inclusion and adoption to achieve digital equity for  
5 residents of rural communities. The department shall  
6 proactively apply for any future federal funding that becomes  
7 available to fund grants for broadband infrastructure for  
8 unserved and underserved, desolate, and historically  
9 marginalized areas.

10 Specifically, the task force shall consider:

- 11 (1) Applying for all available sources of federal funding  
12 for broadband infrastructure for unserved and  
13 underserved areas;
- 14 (2) Ensuring that the CARES Act and Emergency Coronavirus  
15 Relief Act of 2020 funding previously obtained for  
16 broadband services are primarily used to fund grants  
17 for critical broadband infrastructure to meet current  
18 needs of those in unserved and underserved, rural,  
19 historically marginalized communities; and
- 20 (3) Securing broadband access sites throughout unserved  
21 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 access  
4 equity task force and shall invite the following individuals or  
5 their designee to serve as members of the task force:

6 (1) The director of the department commerce and consumer  
7 affairs;

8 (2) The mayors of the four counties of Hawai'i;

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

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

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

20 (c) The members of the broadband access equity task force  
21 shall serve without compensation but shall be reimbursed for



1 expenses, including travel expenses, necessary for the  
2 performance of their duties.

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

10 (1) All funds that the task force has applied for from  
11 federal government programs and funds previously  
12 obtained under the CARES Act and Emergency Coronavirus  
13 Relief Act of 2020; and

14 (2) All grant amounts dispersed by the State for the  
15 purpose of immediately expanding broadband access in  
16 unserved and underserved areas.

17 (e) The broadband access equity task force shall cease to  
18 exist on June 30, 2023.

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



**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. (SD1)

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