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# A BILL FOR AN ACT

RELATING TO THE HAWAII BROADBAND AND DIGITAL EQUITY OFFICE.

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

1       SECTION 1. Chapter 27, Hawaii Revised Statutes, is amended  
2 by adding a new part to be appropriately designated and to read  
3 as follows:

4       **"PART       . HAWAII BROADBAND AND DIGITAL EQUITY OFFICE**

5       **§27-A Definitions.** As used in this part:

6       "Broadband" means high-speed internet access that is always  
7 on, including mobile and fixed technologies.

8       "Digital equity" means a condition in which all individuals  
9 and communities have the information technology capacity needed  
10 for full participation in society, democracy, and the economy.

11       **§27-B Hawaii broadband and digital equity office;**  
12 **establishment; strategic broadband coordinator; staff.** (a)

13 There is established the Hawaii broadband and digital equity  
14 office within the office of enterprise technology services.

15       (b) Without regard to section 26-34, the governor shall  
16 appoint a strategic broadband coordinator, who shall be exempt



1 from chapter 76, to head the Hawaii broadband and digital equity  
2 office.

3 **§27-C Hawaii broadband and digital equity office; duties.**

4 In furtherance of the State's objectives and policies for the  
5 economy pursuant to section 226-10.5, the Hawaii broadband and  
6 digital equity office shall:

7 (1) Develop and implement specific strategies and plans to  
8 aggressively increase broadband affordability,  
9 penetration, and competitive availability in the  
10 State;

11 (2) Support the efforts of both public and private  
12 entities in the State to enhance or facilitate the  
13 deployment of and access to competitively priced,  
14 advanced electronic communications services, including  
15 broadband and its products and services and internet  
16 access services of general application throughout the  
17 State;

18 (3) Promote the landing of trans-Pacific submarine cable,  
19 including the development of a shared access cable  
20 station and associated terrestrial connectivity to  
21 reduce barriers to fiber landing in Hawaii;



- 1 (4) Promote, advocate, and facilitate the implementation  
2 of the findings and recommendations of the Hawaii  
3 broadband task force established by Act 2, First  
4 Special Session Laws of Hawaii 2007, and the 2020  
5 Hawaii Broadband Strategic Plan;
- 6 (5) Support the findings of community-based groups as  
7 reflected in its digital equity declaration;
- 8 (6) Administer grant programs in support of broadband  
9 infrastructure, innovation, and the digital economy;
- 10 (7) Actively seek out funding from public and private  
11 sources in furtherance of the office's duties pursuant  
12 to this section; and
- 13 (8) Provide a repository, aggregation point, and  
14 governance framework for broadband mapping and digital  
15 equity data from various sources, including digital  
16 literacy, telehealth, distance education, remote work,  
17 internet accessibility, and service coverage to  
18 support mapping, reporting, infrastructure deployment,  
19 and data-driven policy.

20 **§27-D Broadband planning and coordination; cooperation.**

- 21 (a) The Hawaii broadband and digital equity office shall:



- 1           (1) Seek input and the widest possible cooperation from  
2           public and private agencies and individuals to achieve  
3           the purposes of this part;
- 4           (2) Work closely with and assist the counties in the  
5           promotion of coordinated state and county broadband  
6           planning;
- 7           (3) Encourage every state department, county agency, and  
8           other public or private agencies and individuals  
9           involved in broadband programs to participate in the  
10          activities of the office and incorporate, to the  
11          extent feasible, the ideas and suggestions of the  
12          participants in the office's comprehensive planning  
13          goals;
- 14          (4) Monitor the broadband-based development efforts of  
15          other states and nations in areas such as business,  
16          education, and health;
- 17          (5) Advise the office of enterprise technology services on  
18          other states' best practices involving remote work  
19          promotion and policies and strategies related to  
20          making affordable broadband services available to  
21          every home and business in the State;



(6) Monitor broadband-related activities at the federal level;

(7) Encourage public-private partnerships to increase the deployment and adoption of broadband services and applications;

(8) Monitor regulatory and policy changes for potential impact on broadband deployment and sustainability in the State; and

(9) Advise the chief information officer on broadband deployment.

(b) Nothing in this section shall be construed to delegate, or detract in any way from, the functions, powers, and duties conferred by law or rule on any department or agency of the State or county.

**§27-E Broadband and digital equity special fund. (a)**

There is established in the state treasury the broadband and digital equity special fund to be administered by the Hawaii broadband and digital equity office, into which shall be deposited:

(1) Proceeds of leases of broadband infrastructure owned by the State;



- 1           (2) Appropriations by the legislature to the special fund;  
2           and  
3           (3) Gifts, donations, and grants from public agencies and  
4           private persons.

5 All interest earned or accrued on moneys deposited into the  
6 special fund shall become a part of the special fund.

7           (b) Moneys in the broadband and digital equity special  
8 fund shall be used for:

- 9           (1) Supporting broadband projects, excluding the  
10           deployment of broadband infrastructure for the  
11           provision of retail service;  
12           (2) Defraying the cost of internet services; and  
13           (3) Funding positions for personnel to provide technical  
14           assistance to the community.  
15           (c) Expenditures from the broadband and digital equity  
16 special fund shall be made by the Hawaii broadband and digital  
17 equity office, subject to oversight and prior approval by the  
18 information technology steering committee."

19           SECTION 2. Chapter 206S, Hawaii Revised Statutes, is  
20 repealed.



1       SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                   or so  
3 much thereof as may be necessary for fiscal year 2025-2026 to be  
4 deposited into the broadband and digital equity special fund  
5 under section 27-E, Hawaii Revised Statutes.

6       SECTION 4. There is appropriated out of the broadband and  
7 digital equity special fund the sum of \$                   or so much  
8 thereof as may be necessary for fiscal year 2025-2026 for the  
9 purposes of the fund.

10       The sum appropriated shall be expended by the Hawaii  
11 broadband and digital equity office for the purposes of this  
12 Act.

13       SECTION 5. All rights, powers, functions, and duties of  
14 the department of business, economic development, and tourism  
15 relating to the Hawaii broadband and digital equity office are  
16 transferred to the department of accounting and general  
17 services.

18       All employees who occupy civil service positions and whose  
19 functions are transferred to the department of accounting and  
20 general services by this Act shall retain their civil service  
21 status, whether permanent or temporary. Employees shall be



1 transferred without loss of salary, seniority (except as  
2 prescribed by applicable collective bargaining agreements),  
3 retention points, prior service credit, any vacation and sick  
4 leave credits previously earned, and other rights, benefits, and  
5 privileges, in accordance with state personnel laws and this  
6 Act; provided that the employees possess the minimum  
7 qualifications and public employment requirements for the class  
8 or position to which transferred or appointed, as applicable;  
9 provided further that subsequent changes in status may be made  
10 pursuant to applicable civil service and compensation laws.

11 Any employee who, prior to this Act, is exempt from civil  
12 service and is transferred as a consequence of this Act may  
13 retain the employee's exempt status, but shall not be appointed  
14 to a civil service position as a consequence of this Act. An  
15 exempt employee who is transferred by this Act shall not suffer  
16 any loss of prior service credit, vacation or sick leave credits  
17 previously earned, or other employee benefits or privileges as a  
18 consequence of this Act; provided that the employees possess  
19 legal and public employment requirements for the position to  
20 which transferred or appointed, as applicable; provided further  
21 that subsequent changes in status may be made pursuant to





1 applicable employment and compensation laws. The comptroller  
2 may prescribe the duties and qualifications of these employees  
3 and fix their salaries without regard to chapter 76, Hawaii  
4 Revised Statutes.

5 SECTION 6. All appropriations, records, equipment,  
6 machines, files, supplies, contracts, books, papers, documents,  
7 maps, and other personal property heretofore made, used,  
8 acquired, or held by the department of business, economic  
9 development, and tourism relating to the functions of the Hawaii  
10 broadband and digital equity office transferred to the  
11 department of accounting and general services shall be  
12 transferred with the functions to which they relate.

13 SECTION 7. In codifying the new sections added by section  
14 1 of this Act, the revisor of statutes shall substitute  
15 appropriate section numbers for the letters used in designating  
16 the new sections in this Act.

17 SECTION 8. This Act shall take effect on July 1, 3000.



**Report Title:**

Hawaii Broadband and Digital Equity Office; Department of Business, Economic Development, and Tourism; Office of Enterprise Technology Services; Broadband and Digital Equity Special Fund; Appropriation

**Description:**

Transfers the Hawaii Broadband and Digital Equity Office from the Department of Business, Economic Development, and Tourism to the Office of Enterprise Technology Services in the Department of Accounting and General Services. Establishes the Broadband and Digital Equity Special Fund. Appropriates funds. Effective 7/1/3000. (HD1)

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