

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A REVOLVING LOAN FUND TO FINANCE RURAL
5 BROADBAND DEPLOYMENT; PROVIDING AMERICAN RESCUE PLAN ACT MONEY BE DEPOSITED IN
6 THE ACCOUNT; PROVIDING FOR A MONTANA BROADBAND COORDINATOR; PROVIDING DUTIES;
7 PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 NEW SECTION. **Section 1. Rural broadband revolving loan account.** (1) There is a special
12 revenue account called the rural broadband revolving loan account to the credit of the department of
13 commerce.

14 (2) The rural broadband revolving loan account consists of \$200 million deposited in the account from
15 money received as a result of the federal American Rescue Plan Act. Any interest earned by the account and
16 any interest that is generated from a loan repayment must be deposited in the account and used to sustain the
17 program.

18 (3) Funds from the rural broadband revolving loan account must be administered by the department
19 of commerce broadband coordinator and may be used to provide loans to individuals and businesses for the
20 purpose of deploying broadband infrastructure in unserved areas or low service areas.

21 (4) The department of commerce broadband coordinator shall consult with tribal nations in the state
22 for broadband planning and implementation purposes.

23 (5) As used in this section:

24 (a) "Unserved area" means an area where at least 90% of the population has no access to broadband
25 service or does not have access to broadband service offered:

26 (i) with a download speed of at least 25 megabits each second;

27 (ii) with an upload speed of at least 25 megabits each second; and

28 (iii) with latency that is sufficiently low to allow real-time, interactive applications.

- 1 (b) "Low service area" means an area where at least 90% of the population has access to broadband
- 2 service offered:
- 3 (i) with a download speed of at least 25 megabits each second but less than 100 megabits each
- 4 second;
- 5 (ii) with an upload speed of at least 25 megabits each second but less than 100 megabits each
- 6 second; and
- 7 (iii) with latency that is sufficiently low to allow multiple, simultaneous, real-time, interactive
- 8 applications.

9

10 **NEW SECTION. Section 2. Department of commerce broadband coordinator.** (1) There is a

11 broadband coordinator within the department of commerce.

12 (2) The duties of the broadband coordinator are as follows:

13 (a) to examine the role of the Montana universal service fund in bringing comparable and affordable

14 broadband service to rural residents and make recommendations to the public service commission and the

15 legislature;

16 (b) to create detailed maps of broadband coverage and speeds in order to accurately pinpoint

17 remaining gaps in broadband availability in the state;

18 (c) to survey other states and make recommendations on the definitions of the terms "unserved",

19 "underserved", and "low-service area" for the discussion of broadband in the state;

20 (d) to survey other states and make recommendations regarding minimum broadband speed

21 standards in the state;

22 (e) to identify opportunities and potential funding sources to expand broadband infrastructure and

23 increase statewide access to broadband services. Funding sources may include but are not limited to federal

24 grants.

25 (f) to survey broadband efforts in other states, especially rural efforts, and make recommendations to

26 the governor and the legislature;

27 (g) to identify barriers to residential and commercial broadband deployment in unserved areas;

28 (h) to identify and review new communication technologies or alternative communication technologies

1 that may help serve rural communities;

2 (i) to research and make recommendations for specific eligibility criteria and application requirements
3 for any grant program developed using state funds. These eligibility criteria and application requirements must
4 be developed after hearing from all stakeholders and provide greater weight to applicants that will provide
5 internet service to unserved homes, followed by underserved homes.

6 (j) to identify grant-matching opportunities which may be required for local governments to receive
7 federal broadband grants;

8 (k) to identify and help coordinate public-private partnership opportunities;

9 (l) to coordinate and assist with an interim study of broadband service;

10 (m) to coordinate broadband efforts among various stakeholder groups, including agency efforts and
11 tribal efforts;

12 (n) to perform any additional duty authorized by the legislature; and

13 (o) to draft a plan based on recommendations related to the above considerations and present that
14 plan to the legislature and the governor prior to January 1, 2023.

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16 **NEW SECTION. Section 3. Appropriations.** (1) There is appropriated \$200 million from the state
17 special revenue account created in [section 1] to the department of commerce for the fiscal year ending June
18 30, 2022, for the purposes described in [section 1].

19 (2) There is appropriated \$300,000 from the state general fund to the department of commerce for the
20 fiscal year ending June 30, 2022, for the purposes described in [section 2].

21 (3) The appropriation must be used to pay for the salary of the broadband coordinator and to
22 complete the research and studies as provided in [section 2].

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24 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an
25 integral part of Title 2, chapter 15, and the provisions of Title 2, chapter 15, apply to [section 1].

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27 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2021.

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