HOUSE BILL NO. 657
INTRODUCED BY T. RUNNING WOLF

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

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

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

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

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

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

(5) As used in this section:

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

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

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

(iii) with latency that is sufficiently low to allow real-time, interactive applications.
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(b) "Low service area" means an area where at least 90% of the population has access to broadband service offered:

(i) with a download speed of at least 25 megabits each second but less than 100 megabits each second;

(ii) with an upload speed of at least 25 megabits each second but less than 100 megabits each second; and

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

NEW SECTION. Section 2. Department of commerce broadband coordinator. (1) There is a broadband coordinator within the department of commerce.

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

(a) to examine the role of the Montana universal service fund in bringing comparable and affordable broadband service to rural residents and make recommendations to the public service commission and the legislature;

(b) to create detailed maps of broadband coverage and speeds in order to accurately pinpoint remaining gaps in broadband availability in the state;

(c) to survey other states and make recommendations on the definitions of the terms "unserved", "underserved", and "low-service area" for the discussion of broadband in the state;

(d) to survey other states and make recommendations regarding minimum broadband speed standards in the state;

(e) to identify opportunities and potential funding sources to expand broadband infrastructure and increase statewide access to broadband services. Funding sources may include but are not limited to federal grants.

(f) to survey broadband efforts in other states, especially rural efforts, and make recommendations to the governor and the legislature;

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

(h) to identify and review new communication technologies or alternative communication technologies
that may help serve rural communities;

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

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

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

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

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

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

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

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

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

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

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

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