
HOUSE BILL 1740

State of Washington

67th Legislature

2022 Regular Session

By Representatives Taylor, Boehnke, Ryu, Berg, Ramel, Sullivan, J. Johnson, Harris-Talley, and Frame; by request of Community Economic Revitalization Board

Prefiled 01/04/22. Read first time 01/10/22. Referred to Committee on Capital Budget.

1 AN ACT Relating to the authority of the community economic
2 revitalization board with respect to loans and grants to political
3 subdivisions and federally recognized Indian tribes for broadband;
4 adding a new section to chapter 43.160 RCW; and creating a new
5 section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature recognizes that high-speed
8 internet connectivity through broadband is essential to support:
9 Educational opportunity; innovations in the provision of education,
10 public safety, and health care; and business growth. The legislature
11 also finds that open access broadband networks create a public
12 platform that bolsters the private sector's ability to provide
13 broadband internet access to communities for which access was
14 previously cost-prohibitive. Therefore, to efficiently and
15 sustainably expand access to broadband throughout Washington, this
16 act establishes a grant and loan program through the community
17 economic revitalization board for local governments and federally
18 recognized Indian tribes to develop open access broadband networks.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.160
20 RCW to read as follows:

1 (1) Subject to the availability of amounts appropriated for this
2 specific purpose, the board is authorized to make broadband loans and
3 grants to local governments and to federally recognized Indian tribes
4 for the purposes of financing the cost to build infrastructure to
5 provide high-speed, open access broadband service for the purpose of
6 economic development or community development. However, no more than
7 50 percent of all financial assistance approved by the board in any
8 biennium may consist of grants to local governments and federally
9 recognized Indian tribes.

10 (2) An application for funding must be made in the form and
11 manner as the board may prescribe. In making grants or loans, the
12 board must conform to the following requirements:

13 (a) The board may not provide financial assistance for:

14 (i) A project where the primary purpose is to facilitate or
15 promote gambling; and

16 (ii) The deployment of a publicly owned telecommunications
17 infrastructure network, or backbone, solely for the sake of creating
18 a competitive, publicly owned telecommunications infrastructure
19 network;

20 (b) The board may provide financial assistance for projects that
21 encourage, foster, develop, and improve broadband within the state in
22 order to:

23 (i) Drive job creation, promote innovation, and expand markets
24 for local businesses; or

25 (ii) Serve the ongoing and growing needs of local education
26 systems, health care systems, public safety systems, industries,
27 businesses, governmental operations, and citizens;

28 (c) An application must be approved by:

29 (i) The local government and supported by the local associate
30 development organization or local workforce development council; or

31 (ii) The governing body of the federally recognized Indian tribe;

32 (d) The board may allow de minimis general system improvements to
33 be funded if they are critically linked to the viability of the
34 project;

35 (e) When evaluating and prioritizing projects, the board must
36 give consideration, at a minimum, to the following factors:

37 (i) The project's value to the community, including evidence of
38 support from affected local businesses and government;

39 (ii) The project's feasibility, using standard economic
40 principles;

1 (iii) The commitment of local matching resources and local
2 participation;

3 (iv) The project uses a technology-neutral approach in order to
4 expand access at the lowest cost;

5 (v) The project's inclusion in a capital facilities plan,
6 comprehensive plan, or local economic development plan consistent
7 with applicable state planning requirements; and

8 (vi) The project's readiness to proceed.

9 (3) A responsible official of the local government or the
10 federally recognized Indian tribe must be present during board
11 deliberations and provide information that the board requests.

12 (4) Before any financial assistance application is approved, the
13 local government or the federally recognized Indian tribe seeking the
14 assistance must demonstrate to the board that no other timely source
15 of funding is available to it at costs reasonably similar to
16 financing available from the board.

17 (5) For the purposes of this section, "broadband" means networks
18 of deployed telecommunications equipment and technologies necessary
19 to provide high-speed internet access and other advanced
20 telecommunications services.

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