
SENATE BILL 5175

State of Washington

67th Legislature

2021 Regular Session

By Senators Nguyen, Wellman, Das, Hasegawa, Saldaña, and Wilson, C.

Read first time 01/12/21. Referred to Committee on Business,
Financial Services & Trade.

1 AN ACT Relating to the authority of the community economic
2 revitalization board with respect to loans and grants to local
3 governments 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 fifty percent of all financial assistance approved by the board in
8 any 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 a project
14 where the primary purpose is to facilitate or promote gambling;

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

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

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

23 (c) An application must be approved by:

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

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

27 (d) The board may allow de minimis general system improvements to
28 be funded if they are critically linked to the viability of the
29 project; and

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

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

34 (ii) The project's feasibility, using standard economic
35 principles;

36 (iii) The commitment of local matching resources and local
37 participation;

38 (iv) The project's inclusion in a capital facilities plan,
39 comprehensive plan, or local economic development plan consistent
40 with applicable state planning requirements; and

1 (v) The project's readiness to proceed.

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

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

10 (5) For the purposes of this section, "broadband" means networks
11 of deployed telecommunications equipment and technologies necessary
12 to provide high-speed internet access and other advanced
13 telecommunications services.

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