
HOUSE BILL 1723

State of Washington

67th Legislature

2022 Regular Session

By Representatives Gregerson, Taylor, Ryu, J. Johnson, Berry, Valdez, Goodman, Macri, Peterson, Ramel, Simmons, Wylie, Slatter, Bergquist, Pollet, Ortiz-Self, Dolan, Stonier, Riccelli, Ormsby, Harris-Talley, Hackney, Kloba, and Frame

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1 AN ACT Relating to closing the digital equity divide by
2 increasing the accessibility and affordability of telecommunications
3 services, devices, and training; amending RCW 43.330.530, 43.330.532,
4 43.330.534, and 43.330.412; adding new sections to chapter 80.36 RCW;
5 adding new sections to chapter 43.330 RCW; creating new sections; and
6 providing an effective date.

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

8 **PART 1**

9 **INTRODUCTION**

10 NEW SECTION. **Sec. 101.** This act may be known and cited as the
11 digital equity act.

12 NEW SECTION. **Sec. 102.** (1) The legislature finds that:

13 (a) Access to the internet is essential to participating in
14 modern day society including, but not limited to, attending school
15 and work, accessing health care, paying for basic services,
16 connecting with family and friends, civic participation, and economic
17 survival.

18 (b) For too many people in both rural and urban areas, the cost
19 of being online is unaffordable. The legislature recognizes that

1 building the last mile of broadband to the home is prohibitively
2 expensive and that urban areas that are home to people earning low
3 incomes continue to face digital redlining. Across the state there is
4 a lack of affordable plans, barriers to enrolling in appropriate
5 broadband plans, and barriers to fully utilize the opportunities that
6 broadband offers.

7 (c) The COVID-19 pandemic has further highlighted the need for
8 affordable access, devices, and skills to use the internet.

9 (d) The need for more accessible and affordable internet is felt
10 more acutely among specific sectors of the population, especially
11 Washington residents in rural areas, people who are currently earning
12 low incomes, seniors and others who lack the skills necessary to get
13 online, people with first languages other than English, immigrant
14 communities, and people with disabilities.

15 (e) The federal government is allocating considerable sums for
16 investment in digital equity that the state broadband office will
17 help to leverage for residents across Washington. Continued
18 comprehensive efforts, including coordination with tribal partners,
19 are needed to ensure truly equitable access. The legislature
20 recognizes that there will be a need for ongoing development and
21 maintenance of broadband infrastructure. The legislature also
22 recognizes that there is a need for ongoing outreach by community-
23 based partnerships to provide enrollment assistance to lower the cost
24 of internet subscriptions and devices.

25 (2) Therefore, the legislature intends to broaden access to the
26 internet, the appropriate devices, and the skills to operate online
27 safely and effectively so that all people in Washington can fully
28 participate in our society, democracy, and economy.

29 **PART 2**

30 **WASHINGTON BROADBAND ASSISTANCE PROGRAM**

31 NEW SECTION. **Sec. 201.** A new section is added to chapter 80.36
32 RCW to read as follows:

33 The definitions in this section apply throughout this section and
34 sections 202 and 203 of this act unless the context clearly requires
35 otherwise.

36 (1) "Department" means the department of social and health
37 services.

1 (2) "Eligible voice and broadband services" means those services
2 deemed eligible for reduced cost by the commission pursuant to
3 section 203 of this act.

4 (3) "Line" means an access line, service to an activated wireless
5 handset, or service to an internet connection used as a substitute
6 for a traditional telecommunications connection.

7 (4) "Low-income" means households as defined by the department,
8 provided that the definition may not exceed the higher of 80 percent
9 of area median household income or the self-sufficiency standard as
10 determined by the University of Washington's self-sufficiency
11 calculator.

12 (5) "Program" means the Washington broadband assistance program
13 established in section 202 of this act.

14 (6) "Telecommunications provider" means any person or entity who
15 provides eligible voice, internet, or broadband services.

16 NEW SECTION. **Sec. 202.** A new section is added to chapter 80.36
17 RCW to read as follows:

18 (1) The Washington broadband assistance program is established
19 within the department to provide low-income persons with reduced
20 rates for eligible voice and broadband services.

21 (2) A telecommunications provider providing eligible voice and
22 broadband services to the public must provide those services to low-
23 income persons at a reduced rate as determined by the commission.

24 (3) When enrolling new customers, a company providing voice and
25 broadband services must inform customers of the program established
26 under this section and persons eligible for other services provided
27 by the department that may be eligible for reduced rates on eligible
28 voice and broadband services.

29 (4) Upon enrolling low-income persons in the program, the company
30 shall submit to the department that information specified by the
31 department for the purposes of verifying the eligibility of those
32 persons to receive services at reduced costs.

33 (5) The department shall verify the eligibility of customers to
34 participate in the program and notify the company whether a customer
35 is eligible. The department shall reimburse each company the balance
36 of the price charged.

37 (6) The department may adopt rules to implement this section but
38 may not limit customers to receiving support on only one line.

1 (7) The department must consult with the office of equity
2 regarding: (a) Methods for administering the program that will reduce
3 barriers to participation, such as implementing a streamlined
4 application process and, to the extent feasible, ensuring that
5 program services and information are language accessible; and (b) a
6 plan for outreach, eligibility determination assistance, and
7 enrollment navigation assistance for tribal members, black,
8 indigenous, and people of color, individuals with disabilities,
9 elders, veterans, residents of rural areas, and others who would be
10 most challenged to participate.

11 (8) For the purposes of this section, "broadband" has the same
12 meaning as defined in RCW 43.330.530.

13 NEW SECTION. **Sec. 203.** A new section is added to chapter 80.36
14 RCW to read as follows:

15 The commission shall annually adopt by rule those services,
16 including prepaid services, that are eligible for inclusion in the
17 Washington broadband assistance program established in section 202 of
18 this act and the amount of assistance to be provided to customers.
19 The commission shall also adopt by rule guidelines to ensure
20 reduction of barriers to enrollment. This may include allowing
21 providers with low-income internet offerings to provide an opt-in for
22 new or existing customers without additional verification if those
23 customers have already demonstrated eligibility in initial enrollment
24 in a low-income internet offering. In determining the rate of
25 assistance to be provided, the commission shall consider the number
26 of low-income customers expected to participate, the price of
27 eligible voice and broadband services, other assistance programs
28 available to customers, and other facts and circumstances that may
29 bear on the reasonableness of assistance levels. The commission may
30 by order exclude a company from the program if it determines the
31 costs charged by the company to be excessive or the quality of
32 service or customer service to be poor.

33 **PART 3**
34 **ANCHOR INSTITUTION DIGITAL EQUITY PROGRAM**

35 NEW SECTION. **Sec. 301.** A new section is added to chapter 80.36
36 RCW to read as follows:

1 The definitions in this section apply throughout this section and
2 section 302 of this act unless the context clearly requires
3 otherwise.

4 (1) "Anchor institution" means a public school, a public housing
5 authority, a library, a medical or health care provider, a community
6 college or other institution of higher education, a state library
7 agency, and other nonprofit or governmental community support
8 organizations.

9 (2) "Basic telecommunications services" means the following
10 services:

- 11 (a) Single-party service;
- 12 (b) Voice grade access to the public switched network;
- 13 (c) Support for local usage;
- 14 (d) Dual tone multifrequency signaling (touch-tone);
- 15 (e) Access to emergency services (911);
- 16 (f) Access to operator services;
- 17 (g) Access to interexchange services;
- 18 (h) Access to directory assistance; and
- 19 (i) Toll limitation services.

20 (3) "Broadband service" has the same meaning as defined in RCW
21 43.330.530.

22 (4) "E-rate discount" means an actual discount under the e-rate
23 program, or a representative discount figure as determined by the
24 commission.

25 (5) "E-rate program" means the federal universal service e-rate
26 program as provided in 47 C.F.R. Sec. 54 and administered by the
27 schools and libraries division of the universal service
28 administrative company.

29 (6) "Office" means the statewide broadband office established in
30 RCW 43.330.532.

31 (7) "Program" means the anchor institution digital equity program
32 created in section 302 of this act.

33 (8) "Telecommunications" has the same meaning as defined in 47
34 U.S.C. Sec. 153(43).

35 NEW SECTION. **Sec. 302.** A new section is added to chapter 80.36
36 RCW to read as follows:

37 (1) The anchor institution digital equity program is established.
38 The office shall develop, implement, and administer the program for
39 the purpose of providing discounted rates for telecommunications

1 services, including broadband service, and discounted
2 telecommunications infrastructure costs, including broadband
3 infrastructure, to qualifying anchor institutions. The office must
4 coordinate with the office of the superintendent of public
5 instruction, the state library, and the department of social and
6 health services in developing and implementing the program.

7 (2) Eligible applicants to receive discounted rates under the
8 program include, but are not limited to, all customers eligible to
9 receive discounts for telecommunications services under the e-rate
10 program administered by the schools and libraries division of the
11 universal service administrative company that also apply for
12 discounts on telecommunications services provided in subsection (1)
13 of this section.

14 (3) The discount developed under subsection (1) of this section
15 must:

16 (a) Be a minimum of a 50 percent discount to program participants
17 for broadband services;

18 (b) Be a minimum of a 25 percent discount to program participants
19 for basic telecommunications services; and

20 (c) Be applied after applying an e-rate discount. The office
21 shall first apply an e-rate discount, regardless of whether the
22 customer has applied for an e-rate discount or has been approved, if
23 the customer, in the determination of the office, meets the
24 eligibility requirements for an e-rate discount.

25 (4) Eligible entities under subsection (1) of this section may
26 apply for, and the office may provide, partial or full discount of
27 telecommunications infrastructure costs. The office must determine
28 the infrastructure costs that are eligible for discount under the
29 program. Eligible costs for discount under the program must be
30 allowed for new, rehab, and ongoing maintenance infrastructure costs.
31 For the purposes of this section, "infrastructure costs" include
32 wireless meshed network technology.

33 (5) The office must develop a process to prioritize applications
34 for funding among eligible applicants under the anchor institution
35 digital equity program. The office must, at minimum and in any order,
36 prioritize applications based on the following factors:

37 (a) The extent to which the application meets the state policy
38 objective of bridging the digital divide by encouraging expanded
39 access to state-of-the-art technologies for rural, inner city, low-
40 income, and disabled residents of Washington; and

1 (b) For broadband service discounts, the extent to which the
2 service provided to the applicant is consistent with the state
3 broadband office goals established under RCW 43.330.536.

4 (6) The office may adopt rules to implement this section.

5 **PART 4**

6 **DIGITAL EQUITY OPPORTUNITY PROGRAM**

7 **Sec. 401.** RCW 43.330.530 and 2019 c 365 s 2 are each amended to
8 read as follows:

9 The definitions in this section apply throughout this section and
10 RCW 43.330.532 through 43.330.538, 43.330.412, and sections 405 and
11 406 of this act unless the context clearly requires otherwise.

12 (1) "Board" means the public works board established in RCW
13 43.155.030.

14 (2) "Broadband" or "broadband service" means any service
15 providing advanced telecommunications capability and internet access
16 with transmission speeds that, at a minimum, provide ((~~twenty-five~~))
17 25 megabits per second download and three megabits per second upload.

18 (3) "Broadband infrastructure" means networks of deployed
19 telecommunications equipment and technologies necessary to provide
20 high-speed internet access and other advanced telecommunications
21 services to end users.

22 (4) "Department" means the department of commerce.

23 (5) "Last mile infrastructure" means broadband infrastructure
24 that serves as the final connection from a broadband service
25 provider's network to the end-use customer's on-premises
26 telecommunications equipment.

27 (6) "Local government" includes cities, towns, counties,
28 municipal corporations, public port districts, public utility
29 districts, quasi-municipal corporations, special purpose districts,
30 and multiparty entities comprised of public entity members.

31 (7) "Middle mile infrastructure" means broadband infrastructure
32 that links a broadband service provider's core network infrastructure
33 to last mile infrastructure.

34 (8) "Office" means the governor's statewide broadband office
35 established in RCW 43.330.532.

36 (9) "Tribe" means any federally recognized Indian tribe whose
37 traditional lands and territories included parts of Washington.

1 (10) "Unserved areas" means areas of Washington in which
2 households and businesses lack access to broadband service, as
3 defined by the office, except that the state's definition for
4 broadband service may not be actual speeds less than (~~twenty-five~~)
5 25 megabits per second download and three megabits per second upload.

6 (11)(a) "Advanced telecommunications capability" means, without
7 regard to any transmission media or technology, high-speed, switched,
8 broadband telecommunications capability that enables users to
9 originate and receive high quality voice, data, graphics, and video
10 telecommunications using any technology.

11 (b) "Advanced telecommunications capability" does not include
12 access to a technology that delivers transmission speeds below the
13 minimum download and upload speeds provided in the definition of
14 broadband in this section.

15 (12) "Aging individual" means an individual 55 years of age or
16 older.

17 (13) "Broadband adoption" means the process by which an
18 individual obtains daily access to the internet:

19 (a) At a speed, quality, price, and capacity necessary for the
20 individual to accomplish common tasks, such that the access qualifies
21 as an advanced telecommunications capability;

22 (b) Providing individuals with the digital skills necessary to
23 participate online;

24 (c) On a device connected to the internet and other advanced
25 telecommunications services via a secure and convenient network, with
26 associated end-user broadband infrastructure equipment such as wifi
27 mesh router or repeaters to enable the device to adequately use the
28 internet network; and

29 (d) With technical support and digital navigation assistance to
30 enable continuity of service and equipment use and utilization.

31 (14) "Digital equity" means the condition in which individuals
32 and communities in Washington have the information technology
33 capacity that is needed for full participation in society and the
34 economy.

35 (15)(a) "Digital inclusion" means the activities that are
36 necessary to ensure that all individuals in Washington have access
37 to, and the use of, affordable information and communication
38 technologies including, but not limited to:

39 (i) Reliable broadband internet service;

1 (ii) Internet-enabled devices that meet the needs of the user;
2 and

3 (iii) Applications and online content designed to enable and
4 encourage self-sufficiency, participation, and collaboration.

5 (b) "Digital inclusion" also includes obtaining access to digital
6 literacy training, the provision of quality technical support, and
7 obtaining basic awareness of measures to ensure online privacy and
8 cybersecurity.

9 (16) "Digital literacy" means the skills associated with using
10 technology to enable users to use information and communications
11 technologies to find, evaluate, organize, create, and communicate
12 information.

13 (17) "Low-income" has the same meaning as provided in section 201
14 of this act.

15 (18) "Underserved population" means any of the following:

16 (a) Individuals who live in low-income households;

17 (b) Aging individuals;

18 (c) Incarcerated individuals;

19 (d) Veterans;

20 (e) Individuals with disabilities;

21 (f) Individuals with a language barrier, including individuals
22 who are English learners or who have low levels of literacy;

23 (g) Individuals who are members of a racial or ethnic minority
24 group; or

25 (h) Individuals who primarily reside in a rural area.

26 **Sec. 402.** RCW 43.330.532 and 2021 c 258 s 2 are each amended to
27 read as follows:

28 (1) The governor's statewide broadband office is established. The
29 director of the office must be appointed by the governor. The office
30 may employ staff necessary to carry out the office's duties as
31 prescribed by chapter 365, Laws of 2019, subject to the availability
32 of amounts appropriated for this specific purpose.

33 (2) The purpose of the office is to encourage, foster, develop,
34 and improve affordable, quality broadband within the state in order
35 to:

36 (a) Drive job creation, promote innovation, improve economic
37 vitality, and expand markets for Washington businesses;

38 (b) Serve the ongoing and growing needs of Washington's education
39 systems, health care systems, public safety systems, transportation

1 systems, industries and business, governmental operations, and
2 citizens; and

3 (c) Improve broadband accessibility and adoption for unserved and
4 underserved communities and populations.

5 **Sec. 403.** RCW 43.330.534 and 2021 c 258 s 3 are each amended to
6 read as follows:

7 (1) The office has the power and duty to:

8 (a) Serve as the central broadband planning body for the state of
9 Washington;

10 (b) Coordinate with local governments, tribes, public and private
11 entities, public housing agencies, nonprofit organizations, and
12 consumer-owned and investor-owned utilities to develop strategies and
13 plans promoting deployment of broadband infrastructure and greater
14 broadband access, while protecting proprietary information;

15 (c) Review existing broadband initiatives, policies, and public
16 and private investments;

17 (d) Develop, recommend, and implement a statewide plan to
18 encourage cost-effective broadband access and to make recommendations
19 for increased usage, particularly in rural and other unserved areas;

20 (e) Update the state's broadband goals and definitions for
21 broadband service in unserved areas as technology advances, except
22 that the state's definition for broadband service may not be actual
23 speeds less than twenty-five megabits per second download and three
24 megabits per second upload; and

25 (f) Encourage public-private partnerships to increase deployment
26 and adoption of broadband services and applications.

27 (2) When developing plans or strategies for broadband deployment,
28 the office must consider:

29 (a) Partnerships between communities, tribes, nonprofit
30 organizations, local governments, consumer-owned and investor-owned
31 utilities, and public and private entities;

32 (b) Funding opportunities that provide for the coordination of
33 public, private, state, and federal funds for the purposes of making
34 broadband infrastructure or broadband services available to rural and
35 unserved areas of the state;

36 (c) Barriers to the deployment, adoption, and utilization of
37 broadband service, including affordability of service and project
38 coordination logistics; and

1 (d) Requiring minimum broadband service of twenty-five megabits
2 per second download and three megabits per second upload speed, that
3 is scalable to faster service.

4 (3) The office may assist applicants for the grant and loan
5 program created in RCW 43.155.160, the digital equity opportunity
6 program created in RCW 43.330.412, and the digital equity planning
7 grant program created in section 405 of this act with seeking federal
8 funding or matching grants and other grant opportunities for
9 deploying or increasing adoption of broadband services.

10 (4) The office may take all appropriate steps to seek and apply
11 for federal funds for which the office is eligible, and other grants,
12 and accept donations, and must deposit these funds in the statewide
13 broadband account created in RCW 43.155.165.

14 (5) The office shall coordinate an outreach effort to hard-to-
15 reach communities and low-income communities across the state to
16 provide information about broadband programs available to consumers
17 of these communities. The outreach effort must include, but is not
18 limited to, providing information to applicable communities about the
19 Washington broadband assistance program established under section 202
20 of this act, the federal lifeline program, and other low-income
21 broadband benefit programs. The outreach effort must be reviewed by
22 the office of equity annually. The office may contract with other
23 public or private entities to conduct outreach to communities as
24 provided under this subsection.

25 (6) In carrying out its purpose, the office may collaborate with
26 the utilities and transportation commission, the office of the chief
27 information officer, the department of commerce, the community
28 economic revitalization board, the department of transportation, the
29 public works board, the state librarian, and all other relevant state
30 agencies.

31 **Sec. 404.** RCW 43.330.412 and 2011 1st sp.s. c 43 s 607 are each
32 amended to read as follows:

33 The ~~((community technology opportunity program is created to~~
34 ~~support the efforts of community technology programs throughout the~~
35 ~~state. The community technology)) digital equity opportunity program
36 is created to advance broadband adoption and digital equity and
37 inclusion throughout the state. The digital equity opportunity
38 program must be administered by the department. The department may~~

1 contract for services in order to carry out the department's
2 obligations under this section.

3 (1) In implementing the (~~community technology~~) digital equity
4 opportunity program the director must, to the extent funds are
5 appropriated for this purpose:

6 (a) Provide organizational and capacity building support to
7 (~~community technology~~) digital equity programs throughout the
8 state (~~, and identify and facilitate the availability of other public~~
9 ~~and private sources of funds to enhance the purposes of the program~~
10 ~~and the work of community technology programs. No more than fifteen~~)
11 and additional support for the purpose of:

12 (i) Evaluating the impact and efficacy of activities supported by
13 grants awarded under the covered programs; and

14 (ii) Developing, cataloging, disseminating, and promoting the
15 exchange of best practices, with respect to and independent of the
16 covered programs, in order to achieve digital equity. After July 1,
17 2024, no more than 15 percent of funds received by the director for
18 the program may be expended on these functions;

19 (b) Establish a competitive grant program and provide grants to
20 community technology programs to (~~provide training and skill-~~
21 ~~building opportunities; access to hardware and software; internet~~
22 ~~connectivity; digital media literacy; assistance in the adoption of~~
23 ~~information and communication technologies in low-income and~~
24 ~~underserved areas of the state; and development of locally relevant~~
25 ~~content and delivery of vital services through~~) advance digital
26 equity and digital inclusion by providing:

27 (i) Training and skill-building opportunities;

28 (ii) Access to hardware and software, including online service
29 costs such as application and software;

30 (iii) Internet connectivity;

31 (iv) Digital media literacy and cybersecurity training;

32 (v) Assistance in the adoption of information and communication
33 technologies for low-income and underserved populations of the state;

34 (vi) Development of locally relevant content and delivery of
35 vital services through technology; and

36 (vii) Technical support;

37 (c) Collaborate with broadband stakeholders, including broadband
38 action teams across the state, in implementing the program as
39 provided under this subsection; and

1 (d) For the purposes of this section, include wireless meshed
2 network technology.

3 (2) Grant applicants must:

4 (a) Provide evidence that the applicant is a nonprofit entity or
5 a public entity that is working in partnership with a nonprofit
6 entity;

7 (b) Define the geographic area or population to be served;

8 (c) Include in the application the results of a needs assessment
9 addressing, in the geographic area or among the population to be
10 served: The impact of inadequacies in technology access or knowledge,
11 barriers faced, and services needed;

12 (d) Explain in detail the strategy for addressing the needs
13 identified and an implementation plan including objectives, tasks,
14 and benchmarks for the applicant and the role that other
15 organizations will play in assisting the applicant's efforts;

16 ~~(e) ((Provide evidence of matching funds and resources, which are~~
17 ~~equivalent to at least one-quarter of the grant amount committed to~~
18 ~~the applicant's strategy;~~

19 ~~(f))~~ Provide evidence that funds applied for, if received, will
20 be used to provide effective delivery of community technology
21 services in alignment with the goals of this program and to increase
22 the applicant's level of effort beyond the current level; and

23 ~~((g))~~ (f) Comply with such other requirements as the director
24 establishes.

25 (3) The digital equity forum shall review grant applications and
26 provide input to the director regarding the prioritization of
27 applications in awarding grants among eligible applicants under the
28 program.

29 (4) In awarding grants under the digital equity opportunity
30 program created in this section, the director must:

31 (a) Consider the input provided by the digital equity forum, as
32 provided in subsection (3) of this section, in awarding grants; and

33 (b) Consider the extent to which the mix of grants awarded would
34 increase in the number of K-12 students gaining access to greater
35 levels of digital inclusion as a factor in awarding grants.

36 (5) The director may use no more than ~~((ten))~~ 10 percent of funds
37 received for the ~~((community technology))~~ digital equity opportunity
38 program to cover administrative expenses.

1 (~~(4)~~) (6) The director must establish expected program outcomes
2 for each grant recipient and must require grant recipients to provide
3 an annual accounting of program outcomes.

4 NEW SECTION. **Sec. 405.** A new section is added to chapter 43.330
5 RCW to read as follows:

6 (1) Subject to the availability of funds appropriated for this
7 specific purpose, the department shall establish a digital equity
8 planning grant program.

9 (2)(a) This program must provide grants to local governments,
10 institutions of higher education, workforce development councils, or
11 other entities to fund the development of a digital equity plan for a
12 discrete geographic region of the state. Only the director or the
13 director's designee may authorize expenditures.

14 (b) Priority must be given for grant applications:

15 (i) Accompanied by express support from community or
16 neighborhood-based nonprofit organizations, public development
17 authorities, federally recognized Indian tribes in the state, or
18 other community partners and partners from the categories of
19 institutions identified in RCW 43.330.421; and

20 (ii) That intend to use community-based participatory action
21 research methods as a part of the proposed plan.

22 (3) An applicant must submit an application to the department in
23 order to be eligible for funding under this section.

24 (4) The digital equity forum shall review grant applications and
25 provide input to the department regarding the prioritization of
26 applications in awarding grants among eligible applicants under the
27 program.

28 (5) The department must:

29 (a) Pursuant to subsection (2)(b) of this section, evaluate and
30 rank applications using objective criteria such as the number of
31 underserved populations served and subjective criteria such as the
32 degree of support and engagement evidenced by the community who will
33 be served;

34 (b) Consider the input provided by the forum, as provided in
35 subsection (4) of this section, in awarding grants under the digital
36 equity planning grant program; and

37 (c) Consider the extent to which the mix of grants awarded would
38 increase in the number of K-12 students gaining access to greater

1 levels of digital inclusion as a factor in awarding grants under the
2 digital equity planning grant program.

3 (6) The department shall develop criteria for what the digital
4 equity plans must include.

5 (7) The department may adopt rules to implement this section.

6 NEW SECTION. **Sec. 406.** A new section is added to chapter 43.330
7 RCW to read as follows:

8 (1) The Washington digital equity forum is established for the
9 purpose of developing recommendations to advance digital connectivity
10 in Washington state and advising the statewide broadband office on
11 the digital equity opportunity program as provided under RCW
12 43.330.412 and the digital equity planning grant program as provided
13 under section 405 of this act.

14 (2) In developing its recommendations to advance digital
15 connectivity, the forum must:

16 (a) Develop goals that are consistent with the goals of the
17 governor's statewide broadband office, as provided in RCW 43.330.536;

18 (b) Strengthen public-private partnerships;

19 (c) Solicit public input through public hearings or informational
20 sessions;

21 (d) Work to increase collaboration and communication between
22 local, state, and federal governments and agencies; and

23 (e) Recommend reforms to current universal service mechanisms.

24 (3) The directors of the governor's statewide broadband office
25 and the Washington state office of equity are responsible for
26 appointing participating members of the digital equity forum and no
27 appointment may be made unless each director concurs in the
28 appointment. In making appointments, the directors must prioritize
29 appointees representing:

30 (a) Federally recognized tribes;

31 (b) State agencies involved in digital equity; and

32 (c) Underserved and unserved communities, including historically
33 disadvantaged communities.

34 (4) A majority of the participating members appointed by the
35 directors must appoint an administrative chair for the forum.

36 (5) In addition to members appointed by the directors, four
37 legislators may serve on the digital equity forum in an ex officio
38 capacity. Legislative participants must be appointed as follows:

1 (a) The speaker of the house of representatives must appoint one
2 member from each of the two largest caucuses of the house of
3 representatives; and

4 (b) The president of the senate must appoint one member from each
5 of the two largest caucuses of the senate.

6 (6) (a) Funds appropriated to the forum may be used to compensate,
7 for any work done in connection with the forum, additional persons
8 who have lived experience navigating barriers to digital connectivity
9 and digital equity.

10 (b) Each member of the digital equity forum shall serve without
11 compensation but may be reimbursed for travel expenses as authorized
12 in RCW 43.03.050 and 43.03.060.

13 (7) Staff for the digital equity forum must be provided by the
14 governor's statewide broadband office and the Washington state office
15 of equity. The governor's statewide broadband office and the
16 Washington state office of equity are jointly responsible for
17 transmitting the recommendations of the digital equity forum to the
18 legislature, consistent with RCW 43.01.036, by October 28, 2025, and
19 every odd-numbered year thereafter.

20 **PART 5**

21 **DIGITAL EQUITY ACCOUNT**

22 NEW SECTION. **Sec. 501.** A new section is added to chapter 80.36
23 RCW to read as follows:

24 (1) The digital equity account is created in the state treasury.
25 Moneys in the account may be spent only after appropriation.

26 (2) Any amounts appropriated by the legislature to the account,
27 private contributions, or any other source directed to the account,
28 must be deposited into the account. Funds from sources outside the
29 state, from private contributions, federal or other sources may be
30 directed to the specific purposes of the digital equity opportunity
31 program, Washington broadband assistance program, anchor institution
32 digital equity program, or digital equity planning grant program, or
33 any combination of those programs.

34 (3) The legislature may appropriate moneys in the account only
35 for the purposes of:

36 (a) Section 202 of this act, the Washington broadband assistance
37 program;

1 (b) Section 302 of this act, the anchor institution digital
2 equity program;
3 (c) RCW 43.330.412, the digital equity opportunity program; and
4 (d) Section 405 of this act, the digital equity planning grant
5 program.

6 **PART 6**
7 **MISCELLANEOUS PROVISIONS**

8 NEW SECTION. **Sec. 601.** The secretary of the department of
9 social and health services or the secretary's designee, the chair of
10 the utilities and transportation commission or the chair's designee,
11 the director of the department of commerce or the director's
12 designee, and the director of the statewide broadband office or the
13 director's designee may take any actions necessary to ensure that the
14 provisions of this act are implemented on the date identified in
15 section 602 of this act.

16 NEW SECTION. **Sec. 602.** Sections 101 through 405 and 501 of this
17 act take effect July 1, 2023.

18 NEW SECTION. **Sec. 603.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

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