

**RCW 43.160.065 Loans and grants to local governments and federally recognized Indian tribes for rural broadband authorized—Application—Requirements for financial assistance.** (1) The board is authorized to make rural broadband loans and grants to local governments and to federally recognized Indian tribes for the purposes of financing the cost to build infrastructure to provide high-speed, open-access broadband service, to rural and underserved communities, for the purpose of economic or community development.

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

(a) The board may not provide financial assistance:

(i) For a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion; or

(ii) For the deployment of publicly owned telecommunications network infrastructure (commonly referred to as "backbone") solely for the sake of creating competitive, publicly owned telecommunications network infrastructure.

(b) The board may provide financial assistance only for projects located in a rural community as defined by the board, or located in a rural county, that encourage, foster, develop, and improve broadband within the state in order to:

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

(ii) Serve the ongoing and growing needs of the local education system, health care system, public safety system, industries and businesses, governmental operations, and citizens.

(c) An application must be approved by the local government and supported by the local associate development organization or local workforce development council or approved by the governing body of the federally recognized Indian tribe.

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

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

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

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

(iii) Commitment of local matching resources and local participation;

(iv) The project's use of a technology-neutral approach in order to expand access at the lowest cost;

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

(vi) The project's readiness to proceed.

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

(4) Before any financial assistance application is approved, the local government or the federally recognized Indian tribe seeking the assistance must demonstrate to the board that no other timely source of funding is available to it at costs reasonably similar to financing available from the board. [2024 c 86 s 3.]

**Findings—2024 c 86:** "The legislature recognizes that high-speed internet connectivity through broadband is essential to support educational opportunity; innovations in the provision of education, public safety, and health care; and business growth. The legislature also finds that open-access broadband networks create a public platform that bolsters the private sector's ability to provide broadband internet access to communities for which access was previously cost-prohibitive. Therefore, to efficiently and sustainably expand access to broadband throughout Washington, this act establishes a grant and loan program through the community economic revitalization board for local governments and federally recognized Indian tribes to develop open-access broadband networks." [2024 c 86 s 1.]