

# SB2244



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**SB2244**

Introduced 2/14/2008, by Sen. Michael W. Frerichs

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.708 new

Creates the High Speed Internet Services and Information Technology Act. Creates the Broadband Deployment Council as a body corporate and politic of the State. Sets forth the powers and duties of the Council concerning telecommunications development. Provides that the Act does not limit certain activities of units of local government concerning broadband services. Amends the State Finance Act to create the High Speed Internet Services and Information Technology Fund. Effective immediately.

LRB095 16290 BDD 42310 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning technology.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the High  
5 Speed Internet Services and Information Technology Act.

6 Section 5. Findings. With respect to high-speed Internet  
7 services and information technology, the General Assembly  
8 finds the following:

9 (1) The deployment and adoption of high-speed Internet  
10 services and information technology has resulted in  
11 enhanced economic development and public safety for the  
12 State's communities, improved health care and educational  
13 opportunities, and a better quality of life for the State's  
14 residents.

15 (2) Continued progress in the deployment and adoption  
16 of high speed Internet services and information technology  
17 is vital to ensuring that this State remains competitive  
18 and continues to create business and job growth.

19 (3) In light of the importance of broadband deployment  
20 to the health, safety, and welfare of the people of  
21 Illinois, the Governor, by executive order, established  
22 the Broadband Deployment Council in 2005.

1 Section 10. Broadband Deployment Council established.  
2 There is hereby created, as a body corporate and politic of the  
3 State, the Broadband Deployment Council. The Lieutenant  
4 Governor is chair of the Council. The following individuals, or  
5 their designees, shall serve as members of the Broadband  
6 Deployment Council:

7 (1) The Director of Commerce and Economic Opportunity.

8 (2) The Chairman of the Illinois Commerce Commission.

9 (3) The Secretary of Transportation.

10 (4) The Chairman of the Illinois State Toll Highway  
11 Authority.

12 (5) The Chairman of the Illinois Finance Authority.

13 (6) The State Superintendent of Education.

14 (7) The Chairman of the Board of Higher Education.

15 (8) The Director of Central Management Services.

16 (9) At least 10 individuals appointed by the Governor.

17 These appointments shall be made with consideration of the  
18 diversity of the State, including members representing  
19 rural areas, underserved urban areas, consumer interests,  
20 community interests, commercial interests including  
21 Incumbent and Competitive Local Exchange Carriers, and  
22 other entities providing communications or information  
23 services but not classified as Local Exchange Carriers.

24 The Office of the Lieutenant Governor shall provide  
25 administrative and staffing support to the Council.

1           Section 15. Powers and duties of the Broadband Deployment  
2 Council.

3           (a) The Council is responsible for the following duties:

4           (1) To identify those portions of the  
5 telecommunications infrastructure owned by agencies of the  
6 State of Illinois that can be made available for lease to  
7 commercial ventures, non-profit agencies, and local  
8 governments and to establish standard procedures and  
9 pricing for lease of that infrastructure.

10          (2) To ensure, where possible, that any infrastructure  
11 improvement undertaken by an agency of the State of  
12 Illinois includes the installation of an underground  
13 conduit that can be made available on a non-discriminatory  
14 basis to public, private, and non-profit entities  
15 interested in running fiber-optic lines for communications  
16 or information services through the conduit.

17          (3) To encourage and facilitate the coordination of  
18 private and public telecommunications deployment,  
19 including, but not limited to, grant-making and financing  
20 of various statewide, local, and regional efforts and  
21 public-private partnerships.

22          (4) To be a clearinghouse for information about  
23 available State, federal, and private funding for private  
24 and public telecommunications deployment. This includes  
25 working with the Illinois Finance Authority to develop  
26 loan, grant, and bond products suitable for

1 telecommunications deployment projects.

2 (5) To make recommendations to the General Assembly  
3 regarding telecommunications initiatives that require  
4 legislative approval, including the creation of a State  
5 entity that handles distribution of funds for private and  
6 public telecommunications projects.

7 (6) To act as a liaison between any telecommunications  
8 deployment project and any entity controlling  
9 rights-of-way and other easements necessary for the  
10 project.

11 (7) To foster competition among all entities providing  
12 commercial communications or information services.

13 (8) To continually assess and catalog the  
14 telecommunications infrastructure of the State of Illinois  
15 for the purpose of determining the present and future needs  
16 of the State with respect to realizing the goals of  
17 competition, affordability, universal service, and  
18 securing the State's telecommunications and economic  
19 future.

20 (b) The Council has the following powers:

21 (1) to solicit and receive donations for broadband  
22 projects;

23 (2) to use funds from the High Speed Internet Services  
24 and Information Technology Fund to finance projects  
25 related to broadband deployment;

26 (3) to establish standards and procedures for its own

1 operations;

2 (4) to establish standards for determining to whom to  
3 award grants; and

4 (5) to exercise any other power reasonably necessary to  
5 carry out its prescribed duties.

6 Section 20. Local broadband projects. Nothing in this Act  
7 shall be construed so as to limit the ability of any  
8 municipality, county, or other unit of local government to:

9 (1) undertake local broadband projects and the  
10 provision of services in connection therewith;

11 (2) lease infrastructure that it owns or controls;

12 (3) aggregate customers or demand for broadband  
13 services; or

14 (4) apply for and receive funds or technical assistance  
15 to undertake projects to address the level of broadband  
16 access available to its businesses and residents or any  
17 similar broadband deployment project.

18 Section 90. The State Finance Act is amended by adding  
19 Section 5.708 as follows:

20 (30 ILCS 105/5.708 new)

21 Sec. 5.708. The High Speed Internet Services and  
22 Information Technology Fund.

23 Section 99. Effective date. This Act takes effect upon

1 becoming law.