

SB1437



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1437

Introduced 2/7/2023, by Sen. Rachel Ventura

SYNOPSIS AS INTRODUCED:

New Act
20 ILCS 605/605-1110 new
30 ILCS 105/5.990 new

Creates the Universal Broadband Act. Creates the Office of Broadband Access within the Department of Commerce and Economic Opportunity. Provides that the Office of Broadband Access shall oversee the construction, development, and operation of a Statewide retail broadband network to provide reliable broadband service to all areas of the State. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois to make conforming changes.

LRB103 27903 HLH 54281 b

A BILL FOR

1 AN ACT concerning State government.

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
5 Universal Broadband Act.

6 Section 10. Intent. The General Assembly finds and
7 declares that:

8 (1) Broadband Internet access has become an integral
9 part of daily life.

10 (2) Broadband Internet access enhances economic
11 development, access to government services, education,
12 health care, and employment.

13 (3) Broadband Internet access is critical in
14 addressing the needs of people with disabilities.

15 (4) Broadband Internet access helps to promote public
16 safety and environmental sustainability.

17 (5) The State has a critical role in ensuring that
18 affordable broadband is deployed equitably and reliably.

19 (6) The State should encourage the expansion of
20 reliable broadband Internet service that is accessible
21 statewide by the year 2040.

22 Section 15. Definitions.

1 "Broadband Internet service" means mass-market retail
2 Internet service in Illinois that provides the capability, by
3 wire or radio, to transmit data to and receive data from all or
4 substantially all Internet endpoints, including any
5 capabilities that are incidental to and enable the operation
6 of communications service, but excluding dial-up Internet
7 service.

8 "Department" means the Department of Commerce and Economic
9 Opportunity.

10 "Office" means the Office of Broadband Access created
11 under Section 605-1110 of the Department of Commerce and
12 Economic Opportunity Law of the Civil Administrative Code of
13 Illinois.

14 "Reliable broadband service" means broadband Internet
15 service with speeds of not less than 100 megabits per second
16 for downloads and 20 megabits per second for uploads and a
17 latency sufficient to support real-time interactive
18 applications.

19 Section 20. Universal broadband.

20 (a) The Office shall oversee the construction,
21 development, and operation of a Statewide retail broadband
22 network to provide reliable broadband service to all areas of
23 the State, including areas of the State that have no broadband
24 Internet service or inadequate broadband Internet service. The
25 Office has the power and authority necessary to implement this

1 Section, including but not limited to, the authority to enter
2 into contracts with one or more entities to acquire goods and
3 services and to take actions it deems necessary and
4 appropriate for the development, acquisition, construction,
5 maintenance, and operation of the statewide retail broadband
6 network.

7 (b) The Office may partner with units of local government
8 to foster improvement and expansion of existing municipal
9 broadband service.

10 (c) The Office shall identify Statewide broadband network
11 locations that will enable service connections with sufficient
12 capacity and at affordable rates. The Office should prioritize
13 communities that are unserved or underserved.

14 Section 25. Rulemaking. The Department shall adopt rules
15 for the implementation of this Act.

16 Section 30. Universal Broadband Fund. The Universal
17 Broadband Fund is hereby created as a special fund in the State
18 treasury. The Department and the Office shall administer the
19 Fund to for the construction, maintenance, and operation of
20 the Statewide retail broadband network described in Section
21 20. The Fund shall receive revenue from the following sources:

22 (1) any appropriations from the State for the purposes
23 described in this Section;

24 (2) federal money to advance broadband deployment in

1 the State;

2 (3) rates and fees charged by the State for broadband
3 service;

4 (4) rates and fees charged by the State for the use of
5 broadband infrastructure;

6 (5) any other legal source designated for deposit into
7 the Fund.

8 Section 900. The Department of Commerce and Economic
9 Opportunity Law of the Civil Administrative Code of Illinois
10 is amended by adding Section 605-1110 as follows:

11 (20 ILCS 605/605-1110 new)

12 Sec. 605-1110. Office of Broadband Access. The Department
13 shall provide staff and administrative support an Office of
14 Broadband Access. The Office of Broadband Access shall have
15 the powers and duties described in the Universal Broadband
16 Act.

17 Section 905. The State Finance Act is amended by adding
18 Section 5.990 as follows:

19 (30 ILCS 105/5.990 new)

20 Sec. 5.990. The Universal Broadband Fund.