



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/09/04, by Marlow H. Colvin

**SYNOPSIS AS INTRODUCED:**

30 ILCS 780/5-20  
30 ILCS 780/5-30  
220 ILCS 5/13-301.2

Amends the Eliminate the Digital Divide Law (i) concerning use of moneys in the Digital Divide Fund and interest being retained in the Fund and (ii) to increase the amount of a grant that a Community Technology Center may receive from \$50,000 to \$100,000 per fiscal year. Amends the Public Utilities Act to provide for the Department of Revenue (instead of Commerce and Economic Opportunity) to make deposits into the Digital Divide Elimination Fund. Effective immediately.

LRB093 21265 RAS 47418 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning finance.

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

4 Section 5. The Eliminate the Digital Divide Law is amended  
5 by changing Sections 5-20 and 5-30 as follows:

6 (30 ILCS 780/5-20)

7 Sec. 5-20. Digital Divide Elimination Fund. The Digital  
8 Divide Elimination Fund is created as a special fund in the  
9 State treasury. All moneys in the Fund shall be used, subject  
10 to appropriation by the General Assembly, by the Department for  
11 grants, contracts, and administrative expenses pursuant to the  
12 Community Technology Grant Program made under Section 5-30 of  
13 this Act. All interest earned on moneys in the Digital Divide  
14 Elimination Fund shall be deposited into the Fund.

15 (Source: P.A. 92-22, eff. 6-30-01.)

16 (30 ILCS 780/5-30)

17 Sec. 5-30. Community Technology Grant Program.

18 (a) Subject to appropriation, the Department shall  
19 administer the Community Technology Center Grant Program under  
20 which the Department shall make grants in accordance with this  
21 Article for planning, establishment, administration, and  
22 expansion of Community Technology Centers and for assisting  
23 public hospitals, libraries, and park districts in eliminating  
24 the digital divide. The purposes of the grants shall include,  
25 but not be limited to, volunteer recruitment and management,  
26 training and instruction, infrastructure, and related goods  
27 and services for Community Technology Centers and public  
28 hospitals, libraries, and park districts. The total amount of  
29 grants under this Section in fiscal year 2001 shall not exceed  
30 \$2,000,000, except that this limit on grants shall not apply to  
31 grants funded by appropriations from the Digital Divide

1 Elimination Fund. No Community Technology Center may receive a  
2 grant of more than \$100,000 ~~\$50,000~~ under this Section in a  
3 particular fiscal year.

4 (b) Public hospitals, libraries, park districts, and State  
5 educational agencies, local educational agencies, institutions  
6 of higher education, and other public and private nonprofit or  
7 for-profit agencies and organizations are eligible to receive  
8 grants under this Program, provided that a local educational  
9 agency or public or private educational agency or organization  
10 must, in order to be eligible to receive grants under this  
11 Program, provide computer access and educational services  
12 using information technology to the public at one or more of  
13 its educational buildings or facilities at least 12 hours each  
14 week. A group of eligible entities is also eligible to receive  
15 a grant if the group follows the procedures for group  
16 applications in 34 CFR 75.127-129 of the Education Department  
17 General Administrative Regulations.

18 To be eligible to apply for a grant, a Community Technology  
19 Center, public hospital, library, or park district must serve a  
20 community in which not less than 40% of the students are  
21 eligible for a free or reduced price lunch under the national  
22 school lunch program or in which not less than 30% of the  
23 students are eligible for a free lunch under the national  
24 school lunch program; however, if funding is insufficient to  
25 approve all grant applications for a particular fiscal year,  
26 the Department may impose a higher minimum percentage threshold  
27 for that fiscal year. Determinations of communities and  
28 determinations of the percentage of students in a community who  
29 are eligible for a free or reduced price lunch under the  
30 national school lunch program shall be in accordance with rules  
31 adopted by the Department.

32 Any entities that have received a Community Technology  
33 Center grant under the federal Community Technology Centers  
34 Program are also eligible to apply for grants under this  
35 Program.

36 The Department shall provide assistance to Community

1 Technology Centers in making those determinations for purposes  
2 of applying for grants.

3 (c) Grant applications shall be submitted to the Department  
4 not later than March 15 for the next fiscal year.

5 (d) The Department shall adopt rules setting forth the  
6 required form and contents of grant applications.

7 (e) There is created the Digital Divide Elimination  
8 Advisory Committee. The advisory committee shall consist of 5  
9 members appointed one each by the Governor, the President of  
10 the Senate, the Senate Minority Leader, the Speaker of the  
11 House, and the House Minority Leader. The members of the  
12 advisory committee shall receive no compensation for their  
13 services as members of the advisory committee but may be  
14 reimbursed for their actual expenses incurred in serving on the  
15 advisory committee. The Digital Divide Elimination Advisory  
16 Committee shall advise the Department in establishing criteria  
17 and priorities for identifying recipients of grants under this  
18 Act. The advisory committee shall obtain advice from the  
19 technology industry regarding current technological standards.  
20 The advisory committee shall seek any available federal  
21 funding.

22 (Source: P.A. 91-704, eff. 7-1-00; 92-22, eff. 6-30-01.)

23 Section 10. The Public Utilities Act is amended by changing  
24 Section 13-301.2 as follows:

25 (220 ILCS 5/13-301.2)

26 (Section scheduled to be repealed on July 1, 2005)

27 Sec. 13-301.2. Program to Foster Elimination of the Digital  
28 Divide. The Commission shall require by rule that each  
29 telecommunications carrier providing local exchange  
30 telecommunications service notify its end-user customers that  
31 if the customer wishes to participate in the funding of the  
32 Program to Foster Elimination of the Digital Divide he or she  
33 may do so by electing to contribute, on a monthly basis, a  
34 fixed amount that will be included in the customer's monthly

1 bill. The obligations imposed in this Section shall not be  
2 imposed upon a telecommunications carrier for any of its  
3 end-users subscribing to the services listed below: (1) private  
4 line service which is not directly or indirectly used for the  
5 origination or termination of switched telecommunications  
6 service, (2) cellular radio service, (3) high-speed  
7 point-to-point data transmission at or above 9.6 kilobits, (4)  
8 the provision of telecommunications service by a company or  
9 person otherwise subject to subsection (c) of Section 13-202 to  
10 a telecommunications carrier, which is incidental to the  
11 provision of service subject to subsection (c) of Section  
12 13-202; (5) pay telephone service; or (6) interexchange  
13 telecommunications service. The customer may cease  
14 contributing at any time upon providing notice to the  
15 telecommunications carrier. The notice shall state that any  
16 contribution made will not reduce the customer's bill for  
17 telecommunications services. Failure to remit the amount of  
18 increased payment will reduce the contribution accordingly.  
19 The Commission shall specify the monthly fixed amount or  
20 amounts that customers wishing to contribute to the funding of  
21 the Program to Foster Elimination of the Digital Divide may  
22 choose from in making their contributions. A  
23 telecommunications carrier subject to this obligation shall  
24 remit the amounts contributed by its customers to the  
25 Department of Revenue ~~Commerce and Community Affairs~~ for  
26 deposit in the Digital Divide Elimination Fund at the intervals  
27 specified in the Commission rules.

28 (Source: P.A. 92-22, eff. 6-30-01; 93-358, eff. 1-1-04; revised  
29 12-6-03.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.