

1 AN ACT concerning accessible electronic information.

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 Accessible Electronic Information Act.

6 Section 5. Legislative findings. The Legislature finds and
7 declares all of the following:

8 (a) Thousands of citizens in this State have disabilities
9 (including blindness or visual impairment) that prevent them
10 from using conventional print material.

11 (b) The State fulfills an important responsibility by
12 providing books and magazines prepared in Braille, audio, and
13 large-type formats made available to eligible blind and
14 disabled persons.

15 (c) The technology, transcription methods, and means of
16 distribution used for these materials are labor-intensive and
17 cannot support rapid dissemination to individuals in rural and
18 urban areas throughout the State.

19 (d) Lack of direct and prompt access to information
20 included in newspapers, magazines, newsletters, schedules,
21 announcements, and other time-sensitive materials limits
22 educational opportunities, literacy, and full participation in
23 society by blind and disabled persons.

24 Section 10. Definitions. As used in this Act:

25 "Accessible electronic information service" means news and
26 other timely information (including newspapers) provided to
27 eligible individuals from a multi-state service center, using
28 high-speed computers and telecommunications technology for
29 interstate acquisition of content and rapid distribution in a
30 form appropriate for use by such individuals.

31 "Blind and disabled persons" means those individuals who

1 are eligible for library loan services through the Library of
2 Congress and the State Library for the Blind and Physically
3 Handicapped pursuant to 36 CFR 701.10(b).

4 "Director" means the State Librarian.

5 "Qualified entity" means an agency, instrumentality, or
6 political subdivision of the State or a nonprofit organization
7 that:

8 (1) provides interstate access for eligible persons to
9 read daily newspapers by producing audio editions by
10 computer; and

11 (2) provides a means of program administration and
12 reader registration on the Internet.

13 Section 15. Accessible electronic information service
14 program. The Director by rule shall develop and implement a
15 program of grants to qualified entities for the provision of
16 accessible electronic information service to blind and
17 disabled persons throughout Illinois. The grants shall be
18 funded through appropriations from the Accessible Electronic
19 Information Service Fund established in Section 20.

20 Section 20. Accessible Electronic Information Service
21 Fund.

22 (a) Before July 1 of each year, the Illinois Commerce
23 Commission, in consultation with the Director, shall determine
24 the amount of funding necessary to support the program
25 described in Section 15 during the next fiscal year and shall
26 certify that amount to the State Treasurer.

27 (b) Each month, the State Treasurer shall transfer 1/12th
28 of the amount determined under subsection (a) from the Digital
29 Divide Elimination Infrastructure Fund into the Accessible
30 Electronic Information Service Fund, a special fund created in
31 the State treasury that may be appropriated only for the
32 purposes of this Act. If moneys in the Digital Divide
33 Elimination Infrastructure Fund are insufficient to meet the
34 transfer requirements of this subsection, the Illinois

1 Commerce Commission shall direct the Illinois
2 Telecommunications Access Corporation, or its successor, to
3 remit the amount of any insufficiency to the Director for
4 deposit into the Accessible Electronic Information Service
5 Fund from surcharges collected by the Corporation, or its
6 successor, under Section 13-703 of the Public Utilities Act.

7 Section 90. The State Finance Act is amended by adding
8 Section 5.625 as follows:

9 (30 ILCS 105/5.625 new)

10 Sec. 5.625. The Accessible Electronic Information Service
11 Fund.

12 Section 95. The Public Utilities Act is amended by changing
13 Section 13-301.3 as follows:

14 (220 ILCS 5/13-301.3)

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

16 Sec. 13-301.3. Digital Divide Elimination Infrastructure
17 Program.

18 (a) The Digital Divide Elimination Infrastructure Fund is
19 created as a special fund in the State treasury. All moneys in
20 the Fund shall be used, subject to appropriation, by the
21 Commission to fund (i) the construction of facilities specified
22 in Commission rules adopted under this Section and (ii) the
23 accessible electronic information program, as provided in
24 Section 20 of the Accessible Electronic Information Act. The
25 Commission may accept private and public funds, including
26 federal funds, for deposit into the Fund. Earnings attributable
27 to moneys in the Fund shall be deposited into the Fund.

28 (b) The Commission shall adopt rules under which it will
29 make grants out of funds appropriated from the Digital Divide
30 Elimination Infrastructure Fund to eligible entities as
31 specified in the rules for the construction of high-speed data
32 transmission facilities in eligible areas of the State. For

1 purposes of determining whether an area is an eligible area,
2 the Commission shall consider, among other things, whether (i)
3 in such area, advanced telecommunications services, as defined
4 in subsection (c) of Section 13-517 of this Act, are
5 under-provided to residential or small business end users,
6 either directly or indirectly through an Internet Service
7 Provider, (ii) such area has a low population density, and
8 (iii) such area has not yet developed a competitive market for
9 advanced services. In addition, if an entity seeking a grant of
10 funds from the Digital Divide Elimination Infrastructure Fund
11 is an incumbent local exchange carrier having the duty to serve
12 such area, and the obligation to provide advanced services to
13 such area pursuant to Section 13-517 of this Act, the entity
14 shall demonstrate that it has sought and obtained an exemption
15 from such obligation pursuant to subsection (b) of Section
16 13-517. Any entity seeking a grant of funds from the Digital
17 Divide Elimination Infrastructure Fund shall demonstrate to
18 the Commission that the grant shall be used for the
19 construction of high-speed data transmission facilities in an
20 eligible area and demonstrate that it satisfies all other
21 requirements of the Commission's rules. The Commission shall
22 determine the information that it deems necessary to award
23 grants pursuant to this Section.

24 (c) The rules of the Commission shall provide for the
25 competitive selection of recipients of grant funds available
26 from the Digital Divide Elimination Infrastructure Fund
27 pursuant to the Illinois Procurement Code. Grants shall be
28 awarded to bidders chosen on the basis of the criteria
29 established in such rules.

30 (d) All entities awarded grant moneys under this Section
31 shall maintain all records required by Commission rule for the
32 period of time specified in the rules. Such records shall be
33 subject to audit by the Commission, by any auditor appointed by
34 the State, or by any State officer authorized to conduct
35 audits.

36 (Source: P.A. 92-22, eff. 6-30-01; 93-306, eff. 7-23-03.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.