

1 AN ACT concerning telecommunications.

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) The State must encourage and support the
20 partnership of the public and private sectors in the
21 continued growth of high speed Internet and information
22 technology for the State's residents and businesses.

23 (4) Local governmental entities play a role in

1 assessing the needs of their communities with respect to
2 high speed Internet services and information technology.

3 Section 10. Definitions. In this Act:

4 "Nonprofit organization" means an organization that (i) is
5 a nonprofit organization as described in Section 501(c)(3) of
6 the federal Internal Revenue Code of 1986 and exempt from tax
7 under Section 501(a) of that Code; (ii) has no part of the net
8 earnings of which inures to the benefit of any member, founder,
9 contributor, or individual; and (iii) is organized under,
10 subject to, and has all the powers and duties of a
11 not-for-profit corporation under the General Not For Profit
12 Corporation Act of 1986.

13 Section 15. Connect IL.

14 (a) Notwithstanding any other statute, the Lieutenant
15 Governor, with the advice of the Broadband Deployment Council,
16 shall authorize the creation of a nonprofit corporation called
17 Connect IL to implement a comprehensive, statewide high speed
18 Internet deployment strategy and demand creation initiative
19 with the purpose of:

20 (1) ensuring that all State residents and businesses
21 have access to affordable and reliable high speed Internet
22 service;

23 (2) achieving improved technology literacy, increased
24 computer ownership, and home high speed Internet use among

1 State residents and businesses;

2 (3) establishing and empowering local technology
3 planning teams in each county to plan for improved
4 technology use across multiple community sectors; and

5 (4) establishing and sustaining an environment ripe
6 for high speed Internet access and technology investment
7 statewide.

8 (b) Connect IL's governing board shall be appointed by the
9 Lieutenant Governor, with the advice of the Broadband
10 Deployment Council, and shall not exceed 11 members, with a
11 maximum of 6 representing the private sector and a maximum of 5
12 representing the government and nonprofit sectors. Four of the
13 private sector members shall be from the largest incumbent
14 local exchange carriers, one shall be from the cable television
15 industry, and one shall be from the Internet Service Provider
16 (ISP) industry. Members representing the public sector shall
17 include one member from a public Illinois university, one
18 member that represents Community Technology Centers, one
19 member from the Department of Commerce and Economic
20 Opportunity, one member from the Lieutenant Governor's office,
21 and one member from the Department of Central Management
22 Services. The board shall select its chairperson to serve a
23 2-year term.

24 (c) In lieu of, or in addition to creating a nonprofit, the
25 Lieutenant Governor, with the Broadband Deployment Council's
26 advice, shall enlist an existing nonprofit organization that

1 has an established competency and proven record of working with
2 public and private sectors to accomplish wide-scale deployment
3 and adoption of broadband and information technology.

4 Section 20. Duties of Connect IL.

5 (a) The high speed Internet deployment strategy and demand
6 creation initiative to be performed by the nonprofit
7 organization shall include, but not be limited to, the
8 following actions:

9 (1) Create a geographic statewide inventory of high
10 speed Internet service and other relevant broadband and
11 information technology services. The inventory shall:

12 (A) identify geographic gaps in high speed
13 Internet service through a method of GIS mapping of
14 service availability and GIS analysis at the census
15 block level; and

16 (B) provide a baseline assessment of statewide
17 high speed Internet deployment in terms of percentage
18 of Illinois households with high speed Internet
19 availability.

20 (2) Track and identify, through customer interviews
21 and surveys and other publicly available sources,
22 statewide residential and business adoption of high speed
23 Internet, computers, and related information technology
24 and any barriers to adoption.

25 (3) Build and facilitate in each county or designated

1 region a local technology planning team with members
2 representing a cross section of the community, including,
3 but not limited to, representatives of business, K-12
4 education, health care, libraries, higher education,
5 community-based organizations, local government, tourism,
6 parks and recreation, and agriculture. Each team shall
7 benchmark technology use across relevant community
8 sectors, set goals for improved technology use within each
9 sector, and develop a plan for achieving its goals, with
10 specific recommendations for online application
11 development and demand creation.

12 (4) Collaborate with high speed Internet providers and
13 technology companies to encourage deployment and use,
14 especially in underserved areas, by aggregating local
15 demand, mapping analysis, and creating market intelligence
16 to improve the business case for providers to deploy.

17 (5) Establish a program to increase computer ownership
18 and Internet access for disenfranchised populations across
19 the State.

20 (b) The nonprofit organization may apply for federal grants
21 consistent with the objectives of this Act.

22 (c) The Lieutenant Governor shall use the funds in the High
23 Speed Internet Services and Information Technology Fund to
24 provide grants to the nonprofit organization created or
25 enlisted under this Act.

26 (d) The nonprofit organization shall have the power to

1 obtain or to raise funds other than the grants receive from the
2 Lieutenant Governor under this Act.

3 (e) The nonprofit organization and its Board of Directors
4 shall exist separately and independently from the Office of the
5 Lieutenant Governor and any other governmental entity, but
6 shall cooperate with the Office of the Lieutenant Governor, the
7 Broadband Deployment Council, and other public or private
8 entities it deems appropriate in carrying out its duties.

9 (f) Notwithstanding anything in this Act or any other Act
10 to the contrary, any information that is designated
11 confidential or proprietary by an entity providing the
12 information to the nonprofit organization or any other entity
13 to accomplish the objectives of this Act shall be deemed
14 confidential, proprietary, and a trade secret and treated by
15 the nonprofit organization, Connect IL's governing board, or
16 anyone else possessing the information as such and shall not be
17 disclosed.

18 Section 25. Scope of authority. Nothing in this Act shall
19 be construed as giving the Lieutenant Governor, the Broadband
20 Deployment Council, the nonprofit organization, or other
21 entities any additional authority, regulatory or otherwise,
22 over providers of telecommunications, broadband, and
23 information technology.

24 Section 30. High Speed Internet Services and Information

1 Technology Fund.

2 (a) There is created in the State treasury a special fund
3 to be known as the High Speed Internet Services and Information
4 Technology Fund, to be used, subject to appropriation, by the
5 Lieutenant Governor for purposes of providing grants to the
6 nonprofit organization enlisted under this Act.

7 (b) On the effective date of this Act, all moneys in the
8 Digital Divide Elimination Infrastructure Fund which have not
9 already been distributed or ordered distributed by the Illinois
10 Commerce Commission shall be transferred to the High Speed
11 Internet Services and Information Technology Fund. Nothing
12 contained in this subsection (b) shall affect the validity of
13 grants issued under this Act before June 30, 2007.

14 Section 35. Local broadband projects. Any municipality or
15 county may undertake local broadband projects and the provision
16 of services in connection therewith; may lease infrastructure
17 that it owns or controls; may aggregate customers or demand for
18 broadband services; may apply for and receive funds or
19 technical assistance to undertake such projects to address the
20 level of broadband access available to its businesses and
21 residents. To the extent that it seeks to serve as a retail
22 provider of telecommunications services, the municipality or
23 county shall be required to obtain appropriate certification
24 from the Illinois Commerce Commission as a telecommunications
25 carrier.

1 Section 90. The State Finance Act is amended by adding
2 Section 5.675 as follows:

3 (30 ILCS 105/5.675 new)

4 Sec. 5.675. The High Speed Internet Services and
5 Information Technology Fund.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.