



Computer Technology Committee

Filed: 3/22/2007

09500HB0754ham001

LRB095 10377 MJR 34276 a

1 AMENDMENT TO HOUSE BILL 754

2 AMENDMENT NO. _____. Amend House Bill 754 by replacing
3 everything after the enacting clause with the following:

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

1 is vital to ensuring that this State remains competitive
2 and continues to create business and job growth.

3 (3) The State must encourage and support the
4 partnership of the public and private sectors in the
5 continued growth of high speed Internet and Information
6 technology for the State's residents and businesses.

7 (4) Local governmental entities play a role in
8 assessing the needs of their communities with respect to
9 high speed Internet services and information technology.

10 Section 10. Definitions. In this Act:

11 "Nonprofit organization" means an organization that (i) is
12 a nonprofit organization as described in Section 501(c)(3) of
13 the federal Internal Revenue Code of 1986 and exempt from tax
14 under Section 501(a) of that Code; (ii) has no part of the net
15 earnings of which inures to the benefit of any member, founder,
16 contributor, or individual; and (iii) has an established
17 competency and proven record of working with public and private
18 sectors to accomplish wide-scale deployment and adoption of
19 broadband and information technology in other states.

20 "Public-private partnership" means the Broadband
21 Deployment Council chaired by the Lieutenant Governor pursuant
22 to Executive Order 2005-9.

23 Section 15. Enlistment of a nonprofit organization.

24 (a) The Lieutenant Governor, with the advice of the

1 Broadband Deployment Council, a public-private partnership
2 established under Executive Order 2005-9, shall enlist a
3 nonprofit corporation, as defined under Section 10 of this Act,
4 to implement a comprehensive, statewide high speed Internet
5 deployment strategy and adoption initiative with the purpose
6 of:

7 (1) ensuring that all State residents and businesses
8 have access to affordable and reliable high speed Internet
9 service;

10 (2) achieving improved technology literacy, increased
11 computer ownership, and home high speed Internet use among
12 State residents and businesses;

13 (3) establishing and empowering local grassroots
14 technology teams in each county to plan for improved
15 technology use across multiple community sectors; and

16 (4) establishing and sustaining an environment ripe
17 for high speed Internet access and technology investment
18 statewide.

19 (b) The public-private partnership shall include input and
20 cooperation among State and local agencies and bodies
21 representing economic development, local community
22 development, technology planning, education, and healthcare
23 and other relevant public and private entities. The private
24 entities within the partnership shall include providers of
25 broadband services, telecommunications carriers, technology
26 companies, telecommunications unions, community-based

1 organizations, and other relevant private sector entities
2 necessary to achieve the objectives of this Act.

3 Section 20. Duties of the nonprofit organization.

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

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

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

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

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

23 (3) Build and facilitate in each county or designated
24 region a local technology planning team with members
25 representing a cross section of the community, including,

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

10 (4) Work collaboratively with high speed Internet
11 providers and technology companies across the State to
12 encourage deployment and use, especially in underserved
13 areas, through the use of local demand aggregation, mapping
14 analysis, and the creation of market intelligence to
15 improve the business case for providers to deploy.

16 (5) Establish programs to improve computer ownership
17 and Internet access for disenfranchised populations across
18 the State.

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

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

25 (d) The nonprofit organization shall be organized under, be
26 subject to, and have all the powers and duties of a

1 non-for-profit corporation under the General Not for Profit
2 Corporation Act of 1986, including the power to obtain or to
3 raise funds other than the grants that the nonprofit
4 organization receives from the Lieutenant Governor under this
5 Act.

6 (e) The nonprofit organization and its Board of Directors
7 shall exist separately and independently from the Office of the
8 Lieutenant Governor and any other governmental entity, but
9 shall work cooperatively with the Office of the Lieutenant
10 Governor, the public-private partnership, and other public or
11 private entities that it deems appropriate in carrying out its
12 duties.

13 (f) Any information provided to the nonprofit organization
14 or any other entity pursuant to this Act shall, if designated
15 by the entity providing the information, be deemed
16 confidential, proprietary, and a trade secret and be treated as
17 such.

18 Section 25. Scope of authority. Nothing in this Act shall
19 be construed as giving the Lieutenant Governor, the Broadband
20 Development 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 June 30, 2007, all moneys in the Digital Divide
8 Elimination Infrastructure Fund which have not already been
9 distributed or ordered distributed by the Illinois Commerce
10 Commission shall be transferred to the High Speed Internet
11 Services and Information Technology Fund. Nothing contained in
12 this subsection (b) shall affect the validity of grants issued
13 under this Act before June 30, 2007.

14 Section 35. Repealer. This Act is repealed on January 1,
15 2012.

16 Section 90. The State Finance Act is amended by adding
17 Section 5.675 as follows:

18 (30 ILCS 105/5.675 new)

19 Sec. 5.675. The High Speed Internet Services and
20 Information Technology Fund.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."