



Rep. Constance A. Howard

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LRB095 10377 MJR 35145 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) is organized under,
17 subject to, and has all the powers and duties of a
18 not-for-profit corporation under the General Not For Profit
19 Corporation Act of 1986.

20 Section 15. Connect IL.

21 (a) Notwithstanding any other statute, the Lieutenant
22 Governor, with the advice of the Broadband Deployment Council,
23 shall authorize the creation of a nonprofit corporation called
24 Connect IL to implement a comprehensive, statewide high speed

1 Internet deployment strategy and demand creation initiative
2 with the purpose of:

3 (1) ensuring that all State residents and businesses
4 have access to affordable and reliable high speed Internet
5 service;

6 (2) achieving improved technology literacy, increased
7 computer ownership, and home high speed Internet use among
8 State residents and businesses;

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

12 (4) establishing and sustaining an environment ripe
13 for high speed Internet access and technology investment
14 statewide.

15 (b) Connect IL's governing board shall be appointed by the
16 Lieutenant Governor, with the advice of the Broadband
17 Deployment Council, and shall not exceed 11 members, with a
18 maximum of 6 representing the private sector and a maximum of 5
19 representing the government and nonprofit sectors. Four of the
20 private sector members shall be from the largest incumbent
21 local exchange carriers, one shall be from the cable television
22 industry, and one shall be from the Internet Service Provider
23 (ISP) industry. Members representing the public sector shall
24 include one member from a public Illinois university, one
25 member that represents Community Technology Centers, one
26 member from the Department of Commerce and Economic

1 Opportunity, one member from the Lieutenant Governor's office,
2 and one member from the Department of Central Management. The
3 board shall select its chairperson to serve a 2-year term.

4 (c) In lieu of, or in addition to creating a nonprofit, the
5 Lieutenant Governor, with the Broadband Deployment Council's
6 advice, shall enlist an existing nonprofit organization that
7 has an established competency and proven record of working with
8 public and private sectors to accomplish wide-scale deployment
9 and adoption of broadband and information technology.

10 Section 20. Duties of Connect IL.

11 (a) The high speed Internet deployment strategy and demand
12 creation initiative to be performed by the nonprofit
13 organization shall include, but not be limited to, the
14 following actions:

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

18 (A) identify geographic gaps in high speed
19 Internet service through a method of GIS mapping of
20 service availability and GIS analysis at the census
21 block level; and

22 (B) provide a baseline assessment of statewide
23 high speed Internet deployment in terms of percentage
24 of Illinois households with high speed Internet
25 availability.

1 (2) Track and identify, through customer interviews
2 and surveys and other publicly available sources,
3 statewide residential and business adoption of high speed
4 Internet, computers, and related information technology
5 and any barriers to adoption.

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

18 (4) Collaborate with high speed Internet providers and
19 technology companies to encourage deployment and use,
20 especially in underserved areas, by aggregating local
21 demand, mapping analysis, and creating market intelligence
22 to improve the business case for providers to deploy.

23 (5) Establish a program to increase computer ownership
24 and Internet access for disenfranchised populations across
25 the State.

26 (b) The nonprofit organization may apply for federal grants

1 consistent with the objectives of this Act.

2 (c) The Lieutenant Governor shall use the funds in the High
3 Speed Internet Services and Information Technology Fund to
4 provide grants to the nonprofit organization created or
5 enlisted under this Act.

6 (d) The nonprofit organization shall have the power to
7 obtain or to raise funds other than the grants receive from the
8 Lieutenant Governor under this Act.

9 (e) The nonprofit organization and its Board of Directors
10 shall exist separately and independently from the Office of the
11 Lieutenant Governor and any other governmental entity, but
12 shall cooperate with the Office of the Lieutenant Governor, the
13 Broadband Deployment Council, and other public or private
14 entities it deems appropriate in carrying out its duties.

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

24 Section 25. Scope of authority. Nothing in this Act shall
25 be construed as giving the Lieutenant Governor, the Broadband

1 Deployment Council, the nonprofit organization, or other
2 entities any additional authority, regulatory or otherwise,
3 over providers of telecommunications, broadband, and
4 information technology.

5 Section 30. High Speed Internet Services and Information
6 Technology Fund.

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

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

19 Section 35. Local broadband projects. Any municipality or
20 county may undertake local broadband projects and the provision
21 of services in connection therewith; may lease infrastructure
22 that it owns or controls; may aggregate customers or demand for
23 broadband services; may apply for and receive funds or
24 technical assistance to undertake such projects to address the

1 level of broadband access available to its businesses and
2 residents. To the extent that it seeks to serve as a retail
3 provider of telecommunications services, the municipality or
4 county shall be required to obtain appropriate certification
5 from the Illinois Commerce Commission as a telecommunications
6 carrier.

7 Section 90. The State Finance Act is amended by adding
8 Section 5.675 as follows:

9 (30 ILCS 105/5.675 new)

10 Sec. 5.675. The High Speed Internet Services and
11 Information Technology Fund.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."