



Sen. Jeffrey M. Schoenberg

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09500SB0766sam002

LRB095 05415 MJR 37510 a

1 AMENDMENT TO SENATE BILL 766

2 AMENDMENT NO. _____. Amend Senate Bill 766 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. Nonprofit organization defined. In this Act,
11 "nonprofit organization" means an organization that (i) is a
12 nonprofit organization as described in Section 501(c)(3) of the
13 federal Internal Revenue Code of 1986 and exempt from tax under
14 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. Enlistment of a nonprofit organization.

21 (a) Notwithstanding any other statute, the Department of
22 Commerce and Economic Opportunity shall enlist a nonprofit
23 organization to implement a comprehensive, statewide high
24 speed Internet deployment strategy and demand creation

1 initiative with the purpose of:

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

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

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

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

14 (b) The existing nonprofit organization shall have an
15 established competency and proven record of working with public
16 and private sectors to accomplish wide-scale deployment and
17 adoption of broadband and information technology in other
18 states.

19 Section 20. Duties of Connect IL.

20 (a) The high speed Internet deployment strategy and demand
21 creation initiative to be performed by the nonprofit
22 organization shall include, but not be limited to, the
23 following actions:

24 (1) Create a geographic statewide inventory of high
25 speed Internet service and other relevant broadband and

1 information technology services. The inventory shall:

2 (A) identify geographic gaps in high speed
3 Internet service through a method of GIS mapping of
4 service availability and GIS analysis at the census
5 block level; and

6 (B) provide a baseline assessment of statewide
7 high speed Internet deployment in terms of percentage
8 of Illinois households with high speed Internet
9 availability.

10 (2) Track and identify, through customer interviews
11 and surveys and other publicly available sources,
12 statewide residential and business adoption of high speed
13 Internet, computers, and related information technology
14 and any barriers to adoption.

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

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

6 (5) Collaborate with the Department in developing a
7 program to increase computer ownership and broadband
8 access for disenfranchised populations across the State.
9 The program may include grants to local community
10 technology centers that provide technology training,
11 promote computer ownership, and increase broadband access.

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

14 (c) The Department of Commerce and Economic Opportunity
15 shall use the funds in the High Speed Internet Services and
16 Information Technology Fund to (1) provide grants to the
17 nonprofit organization created or enlisted under this Act and
18 (2) for any costs incurred by the Department to administer this
19 Act.

20 (d) The nonprofit organization shall have the power to
21 obtain or to raise funds other than the grants receive from the
22 Department under this Act.

23 (e) The nonprofit organization and its Board of Directors
24 shall exist separately and independently from the Department
25 and any other governmental entity, but shall cooperate with
26 other public or private entities it deems appropriate in

1 carrying out its duties.

2 (f) Notwithstanding anything in this Act or any other Act
3 to the contrary, any information that is designated
4 confidential or proprietary by an entity providing the
5 information to the nonprofit organization or any other entity
6 to accomplish the objectives of this Act shall be deemed
7 confidential, proprietary, and a trade secret and treated by
8 the nonprofit organization, Connect IL's governing board, or
9 anyone else possessing the information as such and shall not be
10 disclosed.

11 Section 25. Scope of authority. Nothing in this Act shall
12 be construed as giving the Lieutenant Governor, the Broadband
13 Deployment Council, the nonprofit organization, or other
14 entities any additional authority, regulatory or otherwise,
15 over providers of telecommunications, broadband, and
16 information technology.

17 Section 30. High Speed Internet Services and Information
18 Technology Fund.

19 (a) There is created in the State treasury a special fund
20 to be known as the High Speed Internet Services and Information
21 Technology Fund, to be used, subject to appropriation, by the
22 Department of Commerce and Economic Development for purposes of
23 providing grants to the nonprofit organization enlisted under
24 this Act.

1 (b) On the effective date of this Act, \$4,000,000 in the
2 Digital Divide Elimination Infrastructure Fund shall be
3 transferred to the High Speed Internet Services and Information
4 Technology Fund. Nothing contained in this subsection (b) shall
5 affect the validity of grants issued under this Act before June
6 30, 2007.

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

19 Section 90. The State Finance Act is amended by adding
20 Section 5.675 as follows:

21 (30 ILCS 105/5.675 new)

22 Sec. 5.675. The High Speed Internet Services and
23 Information Technology Fund.

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