

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0895.01 Jennifer Berman x3286

HOUSE BILL 21-1289

HOUSE SPONSORSHIP

Kennedy and Baisley, Titone, Amabile, Bacon, Bernett, Bird, Bockenfeld, Boesenecker, Cutter, Duran, Esgar, Exum, Froelich, Garnett, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Kipp, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Ortiz, Ricks, Sirota, Snyder, Soper, Sullivan, Valdez A., Valdez D., Young

SENATE SPONSORSHIP

Bridges and Priola,

House Committees

Transportation & Local Government
Appropriations

Senate Committees

Business, Labor, & Technology
Appropriations

A BILL FOR AN ACT

101 **CONCERNING BROADBAND DEPLOYMENT, AND, IN CONNECTION**
102 **THEREWITH, CODIFYING THE COLORADO BROADBAND OFFICE IN**
103 **THE OFFICE OF INFORMATION TECHNOLOGY; CREATING THE**
104 **DIGITAL INCLUSION GRANT PROGRAM, THE BROADBAND**
105 **STIMULUS GRANT PROGRAM, AND THE INTERCONNECTIVITY**
106 **GRANT PROGRAM; AND MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Sections 1 and 2 of the bill extend the grant award distribution

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
May 20, 2021

HOUSE
Amended 2nd Reading
May 19, 2021

and reporting dates for the connecting Colorado students grant program.

Section 4 creates the Colorado broadband office (broadband office) in the office of information technology (office) as a **type 1** entity. Section 4 also creates the digital inclusion grant program fund and directs the state treasurer to transfer \$35 million from the general fund to the fund for use by the broadband office to implement the digital inclusion grant program to award grant money to proposed broadband deployment projects throughout the state. Grant recipients other than Indian tribe or nation recipients are prohibited from using the grant money for last-mile broadband deployment. **Section 3** requires the chief information officer in the office to appoint a director of the broadband office.

Section 5 defines "community anchor institution", "critically unserved", and "income-qualified plan" in relation to grants awarded by the broadband deployment board (board) for proposed broadband deployment projects throughout the state.

Section 6 creates the broadband stimulus grant program (grant program) and requires the board to implement the grant program by awarding grant money from the broadband stimulus account created in the broadband administrative fund. The state treasurer is directed to transfer \$35 million from the general fund to the account for this grant program. The board is encouraged to award money under the grant program to applicants that previously applied for broadband deployment grants from the board but were denied due to insufficient funding. An applicant seeking money under the grant program must submit an income-qualified plan to the board.

Section 7 updates the legislative declaration related to the division of local government in the department of local affairs (division) to include language indicating the importance of broadband deployment, and **section 8** defines terms related to the division's work in deploying broadband.

Section 9 requires the division to submit a copy of any application it receives for broadband deployment grant money to the board for the board to review and provide a recommendation regarding the application within 30 days after the division sends the copy to the board.

Section 9 also creates the interconnectivity grant program and requires the division to implement the grant program by awarding grant money for proposed projects that seek to achieve regional broadband deployment and provide interconnection between communities. Projects awarded money under this grant program, except for projects awarded to Indian tribes or nations, cannot use the money awarded for last-mile broadband deployment. To finance this grant program, section 9 also creates the interconnectivity grant program fund into which the state treasurer is directed to transfer \$5 million from the general fund.

Section 10 appropriates:

- \$35 million from the digital inclusion grant program fund

to the office of information technology for use by the Colorado broadband office to implement the digital inclusion grant program;

- \$35 million from the broadband stimulus account in the broadband administrative fund to the department of regulatory agencies for use by the board to implement the broadband stimulus grant program; and
- \$5 million from the interconnectivity grant program fund to the department of local affairs for use by the division of local government to implement the interconnectivity grant program.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that, pursuant to 31 CFR 35.6 (e)(2), providing grants
4 for the deployment of broadband infrastructure is an eligible use of
5 money received by the state under the federal "American Rescue Plan Act
6 of 2021", Pub.L. 117-2. For this purpose, Senate Bill 21-291 creates the
7 economic recovery and relief cash fund to appropriate money to
8 departments or transfer money to another cash fund for uses to address
9 the negative economic impacts of COVID-19, including using the money
10 for necessary investments in broadband infrastructure.

11 (2) Pursuant to 31 CFR 35.6 (b)(1)(viii), providing grants for
12 establishing and operating telehealth capabilities is an eligible use of
13 money received by the state under the federal "American Rescue Plan Act
14 of 2021", Pub.L. 117-2. The economic recovery and relief cash fund
15 created in Senate Bill 21-291 may be used for this purpose as well.

16 (3) The general assembly further finds and declares that, pursuant
17 to subsection (1) of this section, the general assembly may transfer money
18 from the economic recovery and relief cash fund created in section
19 24-75-228 (2)(a) to other cash funds for use in making broadband

1 deployment grants in a manner that complies with federal regulations on
2 use of the money.

3 **SECTION 2.** In Colorado Revised Statutes, 22-103-103, **amend**
4 (5) as follows:

5 **22-103-103. Connecting Colorado students grant program -**
6 **created - application - awards.** (5) By ~~February 1~~ JUNE 30, 2021, the
7 department shall distribute as grants to local education providers the
8 entire amount appropriated to the fund for the 2020-21 budget year, less
9 the amount allowed for expenses.

10 **SECTION 3.** In Colorado Revised Statutes, 22-103-104, **amend**
11 (1) introductory portion as follows:

12 **22-103-104. Report.** (1) On or before ~~July 15~~ NOVEMBER 15,
13 2021, the department shall submit a report to the state board of education,
14 governor, and education committees of the senate and house of
15 representatives or any successor committees, concerning implementation
16 of the program. After the initial report, the department shall submit a
17 report to the same parties within six months after the end of a budget year
18 in which the department awards one or more grants. At a minimum, the
19 report must describe:

20 **SECTION 4.** In Colorado Revised Statutes, 24-37.5-106, **amend**
21 (1)(u); and **add** (1)(v) as follows:

22 **24-37.5-106. Chief information officer - duties and**
23 **responsibilities - broadband inventory fund created.** (1) The chief
24 information officer shall:

25 (u) Assist the joint technology committee as necessary to facilitate
26 the committee's oversight of the office; AND

27 (v) APPOINT A DIRECTOR OF THE COLORADO BROADBAND OFFICE

1 CREATED IN SECTION 24-37.5-903 (1).

2 **SECTION 5.** In Colorado Revised Statutes, 24-37.5-106, as
3 **repealed and reenacted by House Bill 21-1236 add** (2)(f) as follows:

4 **24-37.5-106. Chief information officer - duties and**
5 **responsibilities.** (2) The chief information officer shall:

6 (f) APPOINT A DIRECTOR OF THE COLORADO BROADBAND OFFICE
7 CREATED IN SECTION 24-37.5-903 (1).

8 **SECTION 6.** In Colorado Revised Statutes, **add** part 9 to article
9 37.5 of title 24 as follows:

10 PART 9

11 COLORADO BROADBAND OFFICE

12 **24-37.5-901. Legislative declaration.** (1) THE GENERAL
13 ASSEMBLY HEREBY FINDS AND DETERMINES THAT:

14 (a) THE DEVELOPMENT OF FAST, AFFORDABLE, AND ACCESSIBLE
15 BROADBAND INTERNET SERVICE THROUGHOUT THE STATE WILL:

16 (I) DRIVE JOB CREATION;

17 (II) PROMOTE INNOVATION;

18 (III) IMPROVE THE ECONOMIC VITALITY OF VARIOUS INDUSTRIES
19 THROUGHOUT THE STATE AND THE STATE AS A WHOLE; AND

20 (IV) EXPAND MARKETS FOR COLORADO BUSINESSES;

21 (b) IMPROVED BROADBAND ACCESS WILL HELP SERVE THE
22 ONGOING AND GROWING NEEDS OF COLORADO'S EDUCATION,
23 HEALTH-CARE, AND PUBLIC SAFETY SYSTEMS; INDUSTRIES; BUSINESSES;
24 GOVERNMENTAL OPERATIONS; AND CITIZENS; AND

25 (c) COMMUNITIES IN UNSERVED AREAS OF THE STATE NEED ACCESS
26 TO BROADBAND TO HELP OVERCOME ECONOMIC, HEALTH-CARE,
27 EDUCATION, AND GOVERNMENT-ACCESS INEQUITIES ARISING FROM THEIR

1 DIMINISHED ABILITY TO ACCESS BROADBAND.

2 (2) THE GENERAL ASSEMBLY DECLARES THAT IT IS IMPORTANT TO
3 CREATE THE COLORADO BROADBAND OFFICE TO SERVE AS A CENTRAL
4 GOVERNMENTAL ENTITY TO PLAN AND COORDINATE WITH OTHER STATE,
5 PUBLIC, AND PRIVATE ENTITIES AND CITIZENS THROUGHOUT THE STATE TO
6 DEVELOP AND IMPLEMENT STATEWIDE BROADBAND DEPLOYMENT AND
7 ACCESS STRATEGIES AND PROGRAMS THAT SEEK TO ADVANCE THE GOALS
8 LISTED IN SUBSECTION (1) OF THIS SECTION.

9 **24-37.5-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11

==

12 (1) "COLORADO BROADBAND OFFICE" OR "BROADBAND OFFICE"
13 MEANS THE COLORADO BROADBAND OFFICE CREATED IN SECTION
14 24-37.5-903 (1).

15 (2) COMMUNITY ANCHOR INSTITUTION" MEANS A:

16 (a) SCHOOL;

17 (b) LIBRARY;

18 (c) HOSPITAL OR OTHER HEALTH-CARE FACILITY LICENSED OR
19 CERTIFIED PURSUANT TO SECTION 25-1.5-103;

20 (d) LAW ENFORCEMENT, EMERGENCY MEDICAL SERVICE PROVIDER,
21 OR OTHER PUBLIC SAFETY AGENCY; OR

22 (e) COMMUNITY SUPPORT ORGANIZATION, AGENCY, OR LOCAL
23 GOVERNMENT FACILITY THAT PROVIDES OUTREACH, ACCESS, EQUIPMENT,
24 OR SUPPORT SERVICES TO FACILITATE GREATER USE OF BROADBAND
25 THROUGHOUT THE COMMUNITY, ESPECIALLY GREATER USE BY
26 VULNERABLE POPULATIONS WITHIN THE COMMUNITY, SUCH AS
27 LOW-INCOME, UNEMPLOYED, AND SENIOR POPULATIONS.

1 (3) "DEVICE" MEANS AN ELECTRONIC DEVICE THAT ENABLES
2 ACCESS TO OR USE OF THE INTERNET.

3 (4) "DIGITAL INCLUSION GRANT PROGRAM" OR "GRANT PROGRAM"
4 MEANS THE DIGITAL INCLUSION GRANT PROGRAM CREATED IN SECTION
5 24-37.5-904 (1).

6 (5) "DIGITAL INCLUSION GRANT PROGRAM FUND" OR "FUND"
7 MEANS THE FUND CREATED IN SECTION 24-37.5-904 (2) FOR USE BY THE
8 BROADBAND OFFICE FOR IMPLEMENTING THE GRANT PROGRAM.

9 (6) "DIGITAL LITERACY" MEANS THE ABILITY TO USE
10 TECHNOLOGIES TO FIND, EVALUATE, ANALYZE, CREATE, AND
11 COMMUNICATE INFORMATION.

12 (7) "LAST-MILE BROADBAND INFRASTRUCTURE" MEANS
13 BROADBAND INFRASTRUCTURE THAT DELIVERS AN INTERNET CONNECTION
14 TO AN END USER.

15 (8) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE
16 MUNICIPALITY, COUNTY, CITY AND COUNTY, COUNCIL OF GOVERNMENTS,
17 OR METROPOLITAN DISTRICT THAT LIES WHOLLY WITHIN THE
18 UNINCORPORATED PART OF A COUNTY.

19 (9) "METROPOLITAN DISTRICT" HAS THE MEANING SET FORTH IN
20 SECTION 32-1-103 (10).

21 (10) "SCHOOL" MEANS A STATE INSTITUTION OF HIGHER
22 EDUCATION AS DEFINED IN SECTION 23-1-108 (7)(g)(II), A SCHOOL
23 DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22, A CHARTER
24 SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22,
25 THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION
26 22-30.5-503, AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO
27 PART 5 OF ARTICLE 30.5 OF TITLE 22, A BOARD OF COOPERATIVE SERVICES

1 CREATED PURSUANT TO ARTICLE 5 OF TITLE 22, AN ADULT EDUCATION
2 PROVIDER AS DEFINED IN SECTION 22-10-103 (1.5) BUT EXCLUDING A
3 PRIVATE PROVIDER, OR AN INDIAN TRIBE OR NATION THAT OPERATES A
4 PUBLIC SCHOOL IN COLORADO.

5 (11) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
6 10-16-123 (4)(e).

7 (12) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION
8 40-15-102 (32).

9 **24-37.5-903. Colorado broadband office - creation -**
10 **responsibilities - gifts, grants, or donations.** (1) THE COLORADO
11 BROADBAND OFFICE IS HEREBY CREATED IN THE OFFICE. THE COLORADO
12 BROADBAND OFFICE SHALL EXERCISE ITS POWERS AND PERFORM ITS
13 DUTIES AND FUNCTIONS UNDER THE OFFICE AS IF THE COLORADO
14 BROADBAND OFFICE WERE TRANSFERRED TO THE OFFICE BY A **TYPE 1**
15 TRANSFER AS DEFINED IN SECTION 24-1-105.

16 (2) (a) THE CHIEF INFORMATION OFFICER SHALL APPOINT THE
17 DIRECTOR OF THE BROADBAND OFFICE. THE DIRECTOR MAY EMPLOY STAFF
18 AS NECESSARY TO CARRY OUT THE POWERS AND DUTIES OF THE
19 BROADBAND OFFICE, SUBJECT TO THE AVAILABILITY OF APPROPRIATIONS
20 TO THE OFFICE FOR USE BY THE BROADBAND OFFICE.

21 (b) THE BROADBAND OFFICE SHALL PROVIDE TECHNICAL
22 ASSISTANCE TO APPLICANTS SEEKING GRANT AWARDS FROM THE GRANT
23 PROGRAM OR OTHER STATE OR FEDERAL GRANT OPPORTUNITIES OFFERED
24 FOR DEPLOYING BROADBAND SERVICE.

25 (c) IN CARRYING OUT ITS POWERS AND DUTIES, THE BROADBAND
26 OFFICE MAY COLLABORATE WITH OTHER STATE AGENCIES, LOCAL
27 GOVERNMENTS, BROADBAND EXPERTS, AND OTHER INTERESTED PARTIES.

1 (3) THE BROADBAND OFFICE SHALL:

2 (a) ENCOURAGE, FOSTER, DEVELOP, AND STRIVE TO IMPROVE THE
3 AVAILABILITY OF AFFORDABLE, QUALITY BROADBAND WITHIN THE STATE;

4 (b) SERVE AS THE CENTRAL BROADBAND POLICY COORDINATION
5 BODY FOR THE STATE;

6 (c) COORDINATE WITH OTHER STATE AGENCIES, LOCAL
7 GOVERNMENTS, THE FEDERAL GOVERNMENT, INDIAN TRIBES AND
8 NATIONS, OTHER RELEVANT BROADBAND PARTNERS, AND CONSUMERS
9 THROUGHOUT THE STATE TO DEVELOP STRATEGIES AND PLANS FOR
10 PROMOTING THE DEPLOYMENT OF BROADBAND INFRASTRUCTURE AND
11 GREATER BROADBAND ACCESS;

12 (d) REVIEW EXISTING STATE BROADBAND INITIATIVES, POLICIES,
13 AND DEPLOYMENT BY PUBLIC OR PRIVATE ENTITIES IN ORDER TO
14 PRIORITIZE INVESTMENT;

15 (e) DEVELOP AND IMPLEMENT A STATEWIDE PLAN TO ENCOURAGE
16 COST-EFFECTIVE BROADBAND ACCESS AND INCREASED BROADBAND
17 USAGE, PARTICULARLY IN RURAL UNSERVED AREAS AND OTHER UNSERVED
18 AREAS OF THE STATE. THE BROADBAND OFFICE SHALL SUBMIT THE
19 STATEWIDE PLAN, AND ANY UPDATED VERSIONS OF THE STATEWIDE PLAN,
20 TO THE CHIEF INFORMATION OFFICER, THE GOVERNOR, AND THE JOINT
21 TECHNOLOGY COMMITTEE AND SHALL POST THE STATEWIDE PLAN ON ITS
22 PUBLIC WEBSITE. IN DEVELOPING A STATEWIDE PLAN AND ANY OTHER
23 STRATEGIES FOR BROADBAND DEPLOYMENT, THE BROADBAND OFFICE
24 SHALL CONSIDER:

25 (I) PARTNERSHIPS BETWEEN COMMUNITIES; INDIAN TRIBES AND
26 NATIONS; NONPROFIT ORGANIZATIONS; LOCAL GOVERNMENTS; ELECTRIC
27 UTILITIES AS DEFINED IN SECTION 40-2-202 (1), COOPERATIVE ELECTRIC

1 ASSOCIATIONS AS DEFINED IN SECTION 40-9.5-102, MUNICIPALLY OWNED
2 UTILITIES, AND NONPROFIT GENERATION AND TRANSMISSION ELECTRIC
3 CORPORATIONS OR ASSOCIATIONS; RURAL TELECOMMUNICATIONS
4 PROVIDERS AS DEFINED IN SECTION 40-15-102 (24.5); AND PUBLIC AND
5 PRIVATE ENTITIES;

6 (II) FUNDING OPPORTUNITIES THAT ALLOW FOR THE
7 COORDINATION OF PUBLIC FUNDING SOURCES, INCLUDING LOCAL
8 GOVERNMENTS, STATE GOVERNMENT, AND THE FEDERAL GOVERNMENT,
9 AND PRIVATE FUNDING SOURCES FOR THE PURPOSE OF DEPLOYING
10 BROADBAND INTO RURAL UNSERVED AREAS AND OTHER UNSERVED AREAS
11 OF THE STATE;

12 (III) BARRIERS TO THE DEPLOYMENT, ADOPTION, AND UTILIZATION
13 OF BROADBAND, INCLUDING A CONSIDERATION OF THE AFFORDABILITY OF
14 BROADBAND; AND

15 (IV) STATEWIDE BROADBAND GOALS AND WHETHER STATUTORY
16 DEFINITIONS FOR BROADBAND IN UNSERVED AREAS NEED TO BE UPDATED
17 IN RESPONSE TO ADVANCES MADE IN BROADBAND TECHNOLOGY.

18 (f) COLLECT BROADBAND DATA TO CREATE AND UPDATE MAPS
19 THAT MEASURE THE PROGRESS OF BROADBAND DEPLOYMENT IN THE
20 STATE;

21 (g) ENCOURAGE PUBLIC-PRIVATE PARTNERSHIPS TO INCREASE
22 DEPLOYMENT OF BROADBAND THROUGHOUT THE STATE; AND

23 (h) IN FURTHERANCE OF THE PURPOSES SET FORTH IN THIS PART 9,
24 SEEK OR APPLY FOR, ACCEPT, AND EXPEND:

25 (I) GIFTS, GRANTS, OR DONATIONS FROM PUBLIC OR PRIVATE
26 SOURCES; AND

27 (II) MONEY FROM THE FEDERAL GOVERNMENT FOR BROADBAND

1 DEPLOYMENT. THE BROADBAND OFFICE MAY SEEK AND APPLY FOR ALL
2 FEDERAL FUNDS FOR WHICH THE BROADBAND OFFICE IS ELIGIBLE TO
3 RECEIVE.

4 (4) (a) SUBJECT TO THE REQUIREMENT SET FORTH IN SUBSECTION
5 (4)(b)(II) OF THIS SECTION, THE BROADBAND OFFICE MAY RECEIVE
6 CONSUMER COMPLAINTS REGARDING BROADBAND SERVICE.

7 (b) (I) THE CHIEF INFORMATION OFFICER MAY SEEK, ACCEPT, AND
8 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PUBLIC AND PRIVATE
9 SOURCES FOR THE PURPOSE OF IMPLEMENTING THIS SUBSECTION (4). THE
10 CHIEF INFORMATION OFFICER SHALL TRANSMIT ANY GIFTS, GRANTS, OR
11 DONATIONS RECEIVED PURSUANT TO THIS SUBSECTION (4) TO THE STATE
12 TREASURER WHO SHALL CREDIT THE MONEY TO THE DIGITAL INCLUSION
13 GRANT PROGRAM FUND.

14 (II) THE BROADBAND OFFICE SHALL NOT IMPLEMENT THIS
15 SUBSECTION (4) UNTIL SUFFICIENT FUNDING IS RECEIVED FROM GIFTS,
16 GRANTS, OR DONATIONS TO IMPLEMENT THIS SUBSECTION (4).

17 (5) IN ADDITION TO THE POWERS AND FUNCTIONS SET FORTH IN
18 SUBSECTIONS (3) AND (4) OF THIS SECTION, THE BROADBAND OFFICE SHALL
19 IMPLEMENT THE DIGITAL INCLUSION GRANT PROGRAM.

20 **24-37.5-904. Digital inclusion grant program - creation -**
21 **award criteria - digital inclusion grant program fund - definition -**
22 **reporting.** (1) (a) THE DIGITAL INCLUSION GRANT PROGRAM IS CREATED
23 FOR THE PURPOSE OF ADVANCING THE STATE'S DIGITAL INCLUSION
24 PRIORITIES, WHICH PRIORITIES INCLUDE:

25 (I) INCREASING BROADBAND USAGE AND ACCESS TO BROADBAND
26 THROUGHOUT THE STATE;

27 (II) IMPROVING THE RELIABILITY AND AVAILABILITY OF

1 BROADBAND ON TRIBAL LANDS;

2 (III) ENHANCING DIGITAL LITERACY; AND

3 (IV) MAKING ACCESS TO BROADBAND MORE AFFORDABLE.

4 (b) THE COLORADO BROADBAND OFFICE SHALL IMPLEMENT THE
5 GRANT PROGRAM. DURING THE 2020-21 STATE FISCAL YEAR, THE
6 BROADBAND OFFICE SHALL AWARD:

7 (I) GRANTS TOTALING UP TO TWENTY MILLION DOLLARS TO ONE OR
8 MORE INDIAN TRIBES OR NATIONS FOR THE PURPOSE OF DEPLOYING
9 ADDITIONAL INFRASTRUCTURE ON TRIBAL LANDS AND PROVIDING DEVICES
10 TO INDIAN TRIBES OR NATIONS; AND

11 (II) GRANTS TOTALING UP TO FIFTEEN MILLION DOLLARS TO ONE
12 OR MORE PROVIDERS OF TELEHEALTH SERVICES.

13 (c) IN REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS
14 PURSUANT TO THIS SECTION, THE BROADBAND OFFICE IS ENCOURAGED TO
15 CONSULT WITH THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
16 CREATED IN SECTION 24-48.5-101 (1), THE DEPARTMENT OF LOCAL
17 AFFAIRS, THE DEPARTMENT OF REGULATORY AGENCIES, THE DEPARTMENT
18 OF TRANSPORTATION, AND ANY OTHER AGENCIES, ORGANIZATIONS, OR
19 INDIVIDUALS WITH BROADBAND EXPERTISE.

20 (d) A GRANT AWARD RECIPIENT OTHER THAN AN INDIAN TRIBE OR
21 NATION SHALL NOT USE THE GRANT MONEY FOR THE DEPLOYMENT OF
22 LAST-MILE BROADBAND INFRASTRUCTURE.

23 (e) WITH RESPECT TO GRANTS AWARDED PURSUANT TO
24 SUBSECTION (1)(b)(I) OF THIS SECTION AND FROM MONEY TRANSFERRED
25 TO THE DIGITAL INCLUSION GRANT PROGRAM FUND FROM THE ECONOMIC
26 RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 (2)(a),
27 GRANTS MAY ONLY BE AWARDED FOR BROADBAND PROJECTS THAT,

1 PURSUANT TO TREASURY DEPARTMENT INTERIM REGULATIONS
2 IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
3 PUB.L. 117-2, PROVIDE BROADBAND INFRASTRUCTURE THAT IS DESIGNED
4 TO PROVIDE SERVICE TO UNSERVED OR UNDERSERVED HOUSEHOLDS AND
5 BUSINESSES AND THAT IS DESIGNED TO, UPON COMPLETION:

6 (I) RELIABLY MEET OR EXCEED SYMMETRICAL ONE HUNDRED
7 MEGABITS PER SECOND DOWNLOAD AND UPLOAD SPEEDS; OR

8 (II) IN CASES WHERE IT IS NOT PRACTICABLE, BECAUSE OF THE
9 EXCESSIVE COST OF THE PROJECT OR GEOGRAPHY OR TOPOGRAPHY OF THE
10 AREA TO BE SERVED BY THE PROJECT, PROVIDE SERVICE MEETING THE
11 STANDARDS SET FORTH IN SUBSECTION (1)(e)(I) OF THIS SECTION THAT:

12 (A) RELIABLY MEETS OR EXCEEDS ONE HUNDRED MEGABITS PER
13 SECOND DOWNLOAD SPEED AND IS BETWEEN AT LEAST TWENTY MEGABITS
14 PER SECOND AND ONE HUNDRED MEGABITS PER SECOND UPLOAD SPEED;
15 AND

16 (B) IS SCALABLE TO A MINIMUM OF ONE HUNDRED MEGABITS PER
17 SECOND DOWNLOAD SPEED AND ONE HUNDRED MEGABITS PER SECOND
18 UPLOAD SPEED.

19 (f) IF THE TREASURY DEPARTMENT MODIFIES ITS INTERIM
20 REGULATIONS IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN
21 ACT OF 2021", PUB.L. 117-2, GRANTS AWARDED PURSUANT TO
22 SUBSECTION (1)(e) OF THIS SECTION MAY ONLY BE AWARDED FOR
23 BROADBAND PROJECTS THAT COMPLY WITH THE MODIFIED FEDERAL
24 REGULATIONS.

25 (g) AS USED IN SUBSECTION (1)(e) OF THIS SECTION, "UNSERVED OR
26 UNDERSERVED HOUSEHOLDS AND BUSINESSES" MEANS ONE OR MORE
27 HOUSEHOLDS OR BUSINESSES THAT ARE NOT CURRENTLY SERVED BY A

1 WIRELINE CONNECTION THAT RELIABLY DELIVERS AT LEAST TWENTY-FIVE
2 MEGABITS PER SECOND DOWNSTREAM AND THREE MEGABITS PER SECOND
3 UPSTREAM.

4 (2) THE DIGITAL INCLUSION GRANT PROGRAM FUND IS HEREBY
5 CREATED IN THE STATE TREASURY AND CONSISTS OF MONEY THE STATE
6 RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY
7 FUND CREATED IN THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
8 PUB.L. 117-2 AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY
9 APPROPRIATE. WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
10 SECTION, THE STATE TREASURER SHALL TRANSFER THIRTY-FIVE MILLION
11 DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND
12 CREATED IN SECTION 24-75-228 (2)(a) TO THE FUND FOR USE BY THE
13 BROADBAND OFFICE FOR THE PURPOSE OF REVIEWING AND AWARDING
14 GRANTS UNDER THE GRANT PROGRAM. THE MONEY IN THE FUND IS
15 SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY.

16 (3) (a) ON OR BEFORE JANUARY 1, 2022, AND NOTWITHSTANDING
17 SECTION 24-1-136 (11)(a)(I), THE COLORADO BROADBAND OFFICE SHALL
18 SUBMIT A WRITTEN REPORT TO THE GOVERNOR AND THE GENERAL
19 ASSEMBLY'S JOINT BUDGET COMMITTEE AND JOINT TECHNOLOGY
20 COMMITTEE REGARDING THE BROADBAND OFFICE'S IMPLEMENTATION OF
21 THE GRANT PROGRAM. AFTER SUBMITTING THE INITIAL REPORT, THE
22 BROADBAND OFFICE SHALL SUBMIT SUBSEQUENT REPORTS REGARDING THE
23 GRANT PROGRAM TO THE SAME PARTIES WITHIN SIX MONTHS AFTER THE
24 END OF ANY STATE FISCAL YEAR IN WHICH THE BROADBAND OFFICE
25 AWARDS ONE OR MORE GRANTS FROM THE FUND.

26 (b) REPORTS SUBMITTED PURSUANT TO THIS SUBSECTION (3) MUST
27 INCLUDE:

1 (I) FOR EACH PROJECT AWARDED GRANT MONEY UNDER THE
2 GRANT PROGRAM:

3 (A) A DESCRIPTION OF THE PROJECT;

4 (B) A SUMMARY OF THE PROGRESS MADE ON THE PROJECT;

5 (C) THE ESTIMATED COMPLETION DATE FOR THE PROJECT OR, IF
6 ALREADY COMPLETED, THE DATE OF COMPLETION;

7 (D) A MAP OF THE AREA TO BE SERVED OR ALREADY SERVED BY
8 THE PROJECT;

9 (E) THE PERCENTAGE OF CUSTOMERS WHO ACTIVATED
10 BROADBAND THROUGH THE BROADBAND NETWORK PROVIDED BY THE
11 PROJECT AFTER A BROADBAND CONNECTION WAS CREATED UNDER THE
12 PROJECT TO THEIR HOME OR ENTITY AND THE MEASURABLE SPEEDS MADE
13 AVAILABLE TO THEM;

14 (F) THE TYPE OF TECHNOLOGY DEPLOYED OR USED FOR
15 BROADBAND PROVIDED THROUGH THE PROJECT; AND

16 (G) THE NUMBER OF HOUSEHOLDS, COMMUNITY ANCHOR
17 INSTITUTIONS, MUNICIPALITIES, AND COUNTIES SERVED BY THE PROJECT;

18 (II) THE NUMBER OF APPLICANTS TO THE GRANT PROGRAM, THE
19 AMOUNTS OF GRANT MONEY REQUESTED BY EACH APPLICANT, THE
20 NUMBER OF GRANTS AWARDED UNDER THE GRANT PROGRAM, AND THE
21 AMOUNTS OF GRANT MONEY AWARDED TO EACH APPLICANT UNDER THE
22 GRANT PROGRAM; AND

23 (III) THE AMOUNT OF MONEY EXPENDED FROM THE FUND VERSUS
24 THE AMOUNT OF MONEY OBLIGATED BUT NOT YET EXPENDED FROM THE
25 FUND.

26 **SECTION 7.** In Colorado Revised Statutes, 40-15-102, **add** (5.2),
27 (5.7), (9.2), and (24.7) as follows:

1 **40-15-102. Definitions.** As used in this article 15, unless the
2 context otherwise requires:

3 (5.2) "COMMUNITY ANCHOR INSTITUTION" MEANS A:

4 (a) SCHOOL;

5 (b) LIBRARY;

6 (c) HOSPITAL OR OTHER HEALTH-CARE FACILITY LICENSED OR
7 CERTIFIED PURSUANT TO SECTION 25-1.5-103;

8 (d) LAW ENFORCEMENT, EMERGENCY MEDICAL SERVICE PROVIDER,
9 OR OTHER PUBLIC SAFETY AGENCY; OR

10 (e) COMMUNITY SUPPORT ORGANIZATION, AGENCY, OR LOCAL
11 GOVERNMENT FACILITY THAT PROVIDES OUTREACH, ACCESS, EQUIPMENT,
12 OR SUPPORT SERVICES TO FACILITATE GREATER USE OF BROADBAND
13 THROUGHOUT THE COMMUNITY, ESPECIALLY GREATER USE BY
14 VULNERABLE POPULATIONS WITHIN THE COMMUNITY, SUCH AS
15 LOW-INCOME, UNEMPLOYED, AND SENIOR POPULATIONS.

16 (5.7) "CRITICALLY UNSERVED", WHEN USED TO DESCRIBE A
17 HOUSEHOLD OR AREA, MEANS A HOUSEHOLD OR AREA THAT LACKS ACCESS
18 TO AT LEAST ONE NONSATELLITE PROVIDER OF BROADBAND INTERNET
19 SERVICE DELIVERED AT MEASURABLE SPEEDS OF EITHER AT LEAST TEN
20 MEGABITS PER SECOND DOWNSTREAM AND ONE MEGABIT PER SECOND
21 UPSTREAM OR AT MEASURABLE SPEEDS AT LEAST EQUAL TO ONE-HALF OF
22 THE MINIMUM MEASURABLE SPEEDS THAT QUALIFY AS BROADBAND UNDER
23 THE FCC DEFINITION AND ROUNDED UP TO THE NEAREST WHOLE NUMBER,
24 WHICHEVER IS FASTER.

25 (9.2) "INCOME-QUALIFIED PLAN" MEANS A PLAN THAT AN
26 APPLICANT SEEKING A BROADBAND STIMULUS GRANT PURSUANT TO
27 SECTION 40-15-509.5 (8.7) INCLUDES IN THE APPLICATION TO

1 DEMONSTRATE THAT, AS PART OF THE APPLICANT'S PROPOSED PROJECT,
2 THE APPLICANT WOULD PROVIDE BROADBAND TO INCOME-QUALIFIED
3 CUSTOMERS IN THE PROPOSED SERVICE AREA AT A REDUCED COST.

4 (24.7) "SCHOOL" MEANS A STATE INSTITUTION OF HIGHER
5 EDUCATION AS DEFINED IN SECTION 23-1-108 (7)(g)(II), A SCHOOL
6 DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22, A CHARTER
7 SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22,
8 THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION
9 22-30.5-503, AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO
10 PART 5 OF ARTICLE 30.5 OF TITLE 22, A BOARD OF COOPERATIVE SERVICES
11 CREATED PURSUANT TO ARTICLE 5 OF TITLE 22, AN ADULT EDUCATION
12 PROVIDER AS DEFINED IN SECTION 22-10-103 (1.5) BUT EXCLUDING A
13 PRIVATE PROVIDER, OR AN INDIAN TRIBE OR NATION THAT OPERATES A
14 PUBLIC SCHOOL IN COLORADO.

15 **SECTION 8.** In Colorado Revised Statutes, 40-15-509.5, **add**
16 (4)(c) and (8.7) as follows:

17 **40-15-509.5. Broadband service - report - broadband**
18 **deployment board - broadband administrative fund - creation -**
19 **definitions - rules - repeal.** (4) (c) (I) THE BROADBAND STIMULUS
20 ACCOUNT, REFERRED TO IN THIS SUBSECTION (4)(c) AS THE "ACCOUNT",
21 IS HEREBY CREATED IN THE FUND AND CONSISTS OF MONEY THE STATE
22 RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY
23 FUND CREATED IN THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
24 PUB.L. 117-2 AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY
25 APPROPRIATE. WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
26 SUBSECTION (4)(c), THE STATE TREASURER SHALL TRANSFER THIRTY-FIVE
27 MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH

1 FUND CREATED IN SECTION 24-75-228 (2)(a) TO THE ACCOUNT. THE
2 MONEY IN THE ACCOUNT IS SUBJECT TO ANNUAL APPROPRIATION BY THE
3 GENERAL ASSEMBLY FOR USE BY THE BOARD FOR THE PURPOSE OF
4 REVIEWING AND AWARDING GRANTS UNDER THE BROADBAND STIMULUS
5 GRANT PROGRAM CREATED IN SUBSECTION (8.7) OF THIS SECTION. ALL
6 INTEREST EARNED FROM INVESTMENT OF MONEY IN THE ACCOUNT IS
7 CREDITED TO THE ACCOUNT. ALL MONEY NOT EXPENDED FROM THE
8 ACCOUNT AT THE END OF A FISCAL YEAR REMAINS IN THE ACCOUNT AND
9 DOES NOT REVERT TO THE ECONOMIC RECOVERY AND RELIEF CASH FUND
10 CREATED IN SECTION 24-75-228 (2)(a) OR ANY OTHER FUND.

11 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE SEPTEMBER
12 1, 2023.

13 (8.7) (a) (I) THE BROADBAND STIMULUS GRANT PROGRAM IS
14 HEREBY CREATED. AS PART OF THE GRANT PROGRAM, THE BOARD, IN ANY
15 GRANT FUNDING CYCLE IN 2021 THAT OCCURS AFTER THE EFFECTIVE DATE
16 OF THIS SUBSECTION (8.7):

17 (A) IS ENCOURAGED TO AWARD GRANT MONEY TO APPLICANTS
18 THAT APPLIED FOR GRANTS UNDER SUBSECTION (8) OF THIS SECTION IN THE
19 PREVIOUS FIVE YEARS, MET ALL OF THE AWARD CRITERIA SET FORTH IN
20 SUBSECTION (8) OF THIS SECTION BUT WERE DENIED GRANTS DUE TO THE
21 INSUFFICIENCY OF GRANT MONEY AVAILABLE AT THE TIME OF
22 APPLICATION, AND, AS DETERMINED BY THE BOARD, CONTINUE TO MEET
23 ALL OF THE AWARD CRITERIA SET FORTH IN SUBSECTION (8) OF THIS
24 SECTION; AND

25 (B) MAY ALSO AWARD GRANT MONEY TO NEW GRANT
26 APPLICATIONS RECEIVED.

27 (II) AN APPLICANT SEEKING A BROADBAND STIMULUS GRANT

1 UNDER THIS SUBSECTION (8.7) MUST MEET ALL OF THE GRANT AWARD
2 CRITERIA SET FORTH IN SUBSECTION (8) OF THIS SECTION AND THE
3 REQUIREMENTS SET FORTH IN THIS SUBSECTION (8.7).

4 (b) (I) THE BOARD SHALL AWARD GRANTS PURSUANT TO THIS
5 SUBSECTION (8.7) WITH MONEY IN THE BROADBAND STIMULUS ACCOUNT
6 CREATED IN SUBSECTION (4)(c) OF THIS SECTION UNTIL THE MONEY IN THE
7 ACCOUNT IS FULLY EXPENDED.

8 (II) AN APPLICANT SEEKING GRANT MONEY UNDER THE
9 BROADBAND STIMULUS GRANT PROGRAM MUST SUPPLEMENT A
10 PREVIOUSLY SUBMITTED APPLICATION WITH OR INCLUDE WITH A NEW
11 APPLICATION AN INCOME-QUALIFIED PLAN.

12 (III) IN AWARDING GRANTS PURSUANT TO THIS SUBSECTION (8.7),
13 THE BOARD IS ENCOURAGED TO GIVE PRIORITY TO PROPOSED PROJECTS
14 THAT WILL SERVE CRITICALLY UNSERVED AREAS OF THE STATE.

15 (c) ON OR BEFORE JANUARY 1, 2022, THE BOARD SHALL SUBMIT A
16 REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY'S JOINT BUDGET
17 COMMITTEE AND JOINT TECHNOLOGY COMMITTEE REGARDING THE
18 BOARD'S IMPLEMENTATION OF THIS SUBSECTION (8.7). AFTER THE INITIAL
19 REPORT AND NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE BOARD
20 SHALL SUBMIT SUBSEQUENT REPORTS TO THE SAME PARTIES WITHIN SIX
21 MONTHS AFTER THE END OF ANY STATE FISCAL YEAR IN WHICH THE BOARD
22 AWARDS ONE OR MORE GRANTS PURSUANT TO THIS SUBSECTION (8.7).

23 (d) REPORTS SUBMITTED PURSUANT TO SUBSECTION (8.7)(c) OF
24 THIS SECTION MUST INCLUDE:

25 (I) FOR EACH PROJECT AWARDED GRANT MONEY UNDER THE
26 BROADBAND STIMULUS GRANT PROGRAM:

27 (A) A DESCRIPTION OF THE PROJECT, INCLUDING A DESCRIPTION OF

1 THE USE OF THE GRANT MONEY IN PROVIDING BROADBAND;
2 (B) A SUMMARY OF THE PROGRESS MADE ON THE PROJECT;
3 (C) THE ESTIMATED COMPLETION DATE FOR THE PROJECT OR, IF
4 ALREADY COMPLETED, THE DATE OF COMPLETION;
5 (D) A MAP OF THE AREAS TO BE SERVED OR ALREADY SERVED BY
6 THE PROJECT;
7 (E) THE PERCENTAGE OF CUSTOMERS WHO ACTIVATED
8 BROADBAND THROUGH THE BROADBAND NETWORK PROVIDED BY THE
9 PROJECT AFTER A BROADBAND CONNECTION WAS CREATED UNDER THE
10 PROJECT TO THEIR HOME OR ENTITY AND THE MEASURABLE SPEEDS MADE
11 AVAILABLE TO THEM;
12 (F) THE TYPE OF TECHNOLOGY DEPLOYED OR USED FOR
13 BROADBAND PROVIDED THROUGH THE PROJECT; AND
14 (G) THE NUMBER OF HOUSEHOLDS, COMMUNITY ANCHOR
15 INSTITUTIONS, MUNICIPALITIES, AND COUNTIES SERVED BY THE PROJECT.
16 (II) THE NUMBER OF APPLICANTS TO THE BROADBAND STIMULUS
17 GRANT PROGRAM, THE AMOUNTS OF GRANT MONEY REQUESTED BY EACH
18 APPLICANT, THE NUMBER OF GRANTS AWARDED UNDER THE BROADBAND
19 STIMULUS GRANT PROGRAM, AND THE AMOUNTS OF GRANT MONEY
20 AWARDED TO EACH APPLICANT UNDER THE BROADBAND STIMULUS GRANT
21 PROGRAM; AND
22 (III) THE AMOUNT OF MONEY EXPENDED FROM THE BROADBAND
23 STIMULUS ACCOUNT VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT
24 YET EXPENDED FROM THE BROADBAND STIMULUS ACCOUNT.
25 (e) WITH RESPECT TO GRANTS AWARDED PURSUANT TO THIS
26 SUBSECTION (8.7) AND FROM MONEY TRANSFERRED TO THE BROADBAND
27 STIMULUS ACCOUNT FROM THE ECONOMIC RECOVERY AND RELIEF CASH

1 FUND CREATED IN SECTION 24-75-228 (2)(a), GRANTS MAY ONLY BE
2 AWARDED FOR BROADBAND PROJECTS THAT, PURSUANT TO TREASURY
3 DEPARTMENT INTERIM REGULATIONS IMPLEMENTING THE FEDERAL
4 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, PROVIDE
5 BROADBAND INFRASTRUCTURE THAT IS DESIGNED TO PROVIDE SERVICE TO
6 UNSERVED OR UNDERSERVED HOUSEHOLDS AND BUSINESSES AND THAT IS
7 DESIGNED TO, UPON COMPLETION:

8 (I) RELIABLY MEET OR EXCEED SYMMETRICAL ONE HUNDRED
9 MEGABITS PER SECOND DOWNLOAD AND UPLOAD SPEEDS; OR

10 (II) IN CASES WHERE IT IS NOT PRACTICABLE, BECAUSE OF THE
11 EXCESSIVE COST OF THE PROJECT OR GEOGRAPHY OR TOPOGRAPHY OF THE
12 AREA TO BE SERVED BY THE PROJECT, PROVIDE SERVICE MEETING THE
13 STANDARDS SET FORTH IN SUBSECTION (8.7)(e)(I) OF THIS SECTION THAT:

14 (A) RELIABLY MEETS OR EXCEEDS ONE HUNDRED MEGABITS PER
15 SECOND DOWNLOAD SPEED AND IS BETWEEN AT LEAST TWENTY MEGABITS
16 PER SECOND AND ONE HUNDRED MEGABITS PER SECOND UPLOAD SPEED;
17 AND

18 (B) IS SCALABLE TO A MINIMUM OF ONE HUNDRED MEGABITS PER
19 SECOND DOWNLOAD SPEED AND ONE HUNDRED MEGABITS PER SECOND
20 UPLOAD SPEED.

21 (f) IF THE TREASURY DEPARTMENT MODIFIES ITS INTERIM
22 REGULATIONS IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN
23 ACT OF 2021", PUB.L. 117-2, GRANTS AWARDED PURSUANT TO
24 SUBSECTION (1)(e) OF THIS SECTION MAY ONLY BE AWARDED FOR
25 BROADBAND PROJECTS THAT COMPLY WITH THE MODIFIED FEDERAL
26 REGULATIONS.

27 (g) AS USED IN SUBSECTION (8.7)(e) OF THIS SECTION, "UNSERVED

1 OR UNDERSERVED HOUSEHOLDS AND BUSINESSES" MEANS ONE OR MORE
2 HOUSEHOLDS OR BUSINESSES THAT ARE NOT CURRENTLY SERVED BY A
3 WIRELINE CONNECTION THAT RELIABLY DELIVERS AT LEAST TWENTY-FIVE
4 MEGABITS PER SECOND DOWNSTREAM AND THREE MEGABITS PER SECOND
5 UPSTREAM.

6 (h) THIS SUBSECTION (8.7) IS REPEALED, EFFECTIVE SEPTEMBER 1,
7 2023.

8 **SECTION 9.** In Colorado Revised Statutes, 24-37.5-118, as
9 **relocated and amended by House Bill 21-1109 amend (4); and add**
10 **(9.5), (16)(d.5), and (16)(i.5) as follows:**

11 **24-37.5-118. Broadband service - report - broadband**
12 **deployment board - broadband administrative fund - creation -**
13 **legislative declaration - definitions - rules - repeal.** (4) (a) There is
14 hereby created in the state treasury the broadband administrative fund,
15 referred to in this section as the "fund". The fund consists of all money
16 allocated from the HCSM for the administration of the board and all
17 money that the general assembly may appropriate to the fund. The money
18 in the fund is subject to annual appropriation by the general assembly for
19 the purposes set forth in this section. All interest earned from the
20 investment of money in the fund is credited to the fund. All money not
21 expended at the end of any state fiscal year remains in the fund and does
22 not revert to the general fund or any other fund.

23 (b) (I) THE BROADBAND STIMULUS ACCOUNT, REFERRED TO IN THIS
24 SUBSECTION (4)(b) AS THE "ACCOUNT", IS HEREBY CREATED IN THE FUND
25 AND CONSISTS OF MONEY THE STATE RECEIVED FROM THE FEDERAL
26 CORONAVIRUS STATE FISCAL RECOVERY FUND CREATED IN THE FEDERAL
27 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2 AND ANY MONEY

1 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE. WITHIN THREE DAYS
2 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (4)(b), THE STATE
3 TREASURER SHALL TRANSFER THIRTY-FIVE MILLION DOLLARS FROM THE
4 ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION
5 24-75-228 (2)(a) TO THE ACCOUNT. THE MONEY IN THE ACCOUNT IS
6 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR USE
7 BY THE BOARD FOR THE PURPOSE OF REVIEWING AND AWARDED GRANTS
8 UNDER THE BROADBAND STIMULUS GRANT PROGRAM CREATED IN
9 SUBSECTION (9.5) OF THIS SECTION. ALL INTEREST EARNED FROM
10 INVESTMENT OF MONEY IN THE ACCOUNT IS CREDITED TO THE ACCOUNT.
11 ALL MONEY NOT EXPENDED FROM THE ACCOUNT AT THE END OF A FISCAL
12 YEAR REMAINS IN THE ACCOUNT AND DOES NOT REVERT TO THE ECONOMIC
13 RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228 (2)(a)
14 OR ANY OTHER FUND.

15 (II) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE SEPTEMBER
16 1, 2023.

17 (9.5) (a) (I) THE BROADBAND STIMULUS GRANT PROGRAM IS
18 HEREBY CREATED. AS PART OF THE GRANT PROGRAM, THE BOARD, IN ANY
19 GRANT FUNDING CYCLE IN 2021 THAT OCCURS AFTER THE EFFECTIVE DATE
20 OF THIS SUBSECTION (9.5):

21 (A) IS ENCOURAGED TO AWARD GRANT MONEY TO APPLICANTS
22 THAT APPLIED FOR GRANTS UNDER SUBSECTION (9) OF THIS SECTION IN THE
23 PREVIOUS FIVE YEARS, MET ALL OF THE AWARD CRITERIA SET FORTH IN
24 SUBSECTION (9) OF THIS SECTION BUT WERE DENIED GRANTS DUE TO THE
25 INSUFFICIENCY OF GRANT MONEY AVAILABLE AT THE TIME OF
26 APPLICATION, AND, AS DETERMINED BY THE BOARD, CONTINUE TO MEET
27 ALL OF THE AWARD CRITERIA SET FORTH IN SUBSECTION (9) OF THIS

1 SECTION; AND

2 (B) MAY ALSO AWARD GRANT MONEY TO NEW GRANT
3 APPLICATIONS RECEIVED.

4 (II) AN APPLICANT SEEKING A BROADBAND STIMULUS GRANT
5 UNDER THIS SUBSECTION (9.5) MUST MEET ALL OF THE GRANT AWARD
6 CRITERIA SET FORTH IN SUBSECTION (9) OF THIS SECTION AND THE
7 REQUIREMENTS SET FORTH IN THIS SUBSECTION (9.5).

8 (b) (I) THE BOARD SHALL AWARD GRANTS PURSUANT TO THIS
9 SUBSECTION (9.5) WITH MONEY IN THE BROADBAND STIMULUS ACCOUNT
10 CREATED IN SUBSECTION (4)(b) OF THIS SECTION UNTIL THE MONEY IN THE
11 ACCOUNT IS FULLY EXPENDED.

12 (II) AN APPLICANT SEEKING GRANT MONEY UNDER THE
13 BROADBAND STIMULUS GRANT PROGRAM MUST SUPPLEMENT A
14 PREVIOUSLY SUBMITTED APPLICATION WITH OR INCLUDE WITH A NEW
15 APPLICATION AN INCOME-QUALIFIED PLAN.

16 (III) IN AWARDING GRANTS PURSUANT TO THIS SUBSECTION (9.5),
17 THE BOARD IS ENCOURAGED TO GIVE PRIORITY TO PROPOSED PROJECTS
18 THAT WILL SERVE CRITICALLY UNSERVED AREAS OF THE STATE.

19 (c) ON OR BEFORE JANUARY 1, 2022, THE BOARD SHALL SUBMIT A
20 REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY'S JOINT BUDGET
21 COMMITTEE AND JOINT TECHNOLOGY COMMITTEE REGARDING THE
22 BOARD'S IMPLEMENTATION OF THIS SUBSECTION (9.5). AFTER THE INITIAL
23 REPORT THE BOARD SHALL SUBMIT SUBSEQUENT REPORTS TO THE SAME
24 PARTIES WITHIN SIX MONTHS AFTER THE END OF ANY STATE FISCAL YEAR
25 IN WHICH THE BOARD AWARDS ONE OR MORE GRANTS PURSUANT TO THIS
26 SUBSECTION (9.5).

27 (d) REPORTS SUBMITTED PURSUANT TO SUBSECTION (9.5)(c) OF

1 THIS SECTION MUST INCLUDE:

2 (I) FOR EACH PROJECT AWARDED GRANT MONEY UNDER THE
3 BROADBAND STIMULUS GRANT PROGRAM:

4 (A) A DESCRIPTION OF THE PROJECT, INCLUDING A DESCRIPTION OF
5 THE USE OF THE GRANT MONEY IN PROVIDING BROADBAND;

6 (B) A SUMMARY OF THE PROGRESS MADE ON THE PROJECT;

7 (C) THE ESTIMATED COMPLETION DATE FOR THE PROJECT OR, IF
8 ALREADY COMPLETED, THE DATE OF COMPLETION;

9 (D) A MAP OF THE AREAS TO BE SERVED OR ALREADY SERVED BY
10 THE PROJECT;

11 (E) THE PERCENTAGE OF CUSTOMERS WHO ACTIVATED
12 BROADBAND THROUGH THE BROADBAND NETWORK PROVIDED BY THE
13 PROJECT AFTER A BROADBAND CONNECTION WAS CREATED UNDER THE
14 PROJECT TO THEIR HOMES OR ENTITIES AND THE MEASURABLE SPEEDS
15 MADE AVAILABLE TO THEM;

16 (F) THE TYPE OF TECHNOLOGY DEPLOYED OR USED FOR
17 BROADBAND PROVIDED THROUGH THE PROJECT; AND

18 (G) THE NUMBER OF HOUSEHOLDS, COMMUNITY ANCHOR
19 INSTITUTIONS, MUNICIPALITIES, AND COUNTIES SERVED BY THE PROJECT.

20 (II) THE NUMBER OF APPLICANTS TO THE BROADBAND STIMULUS
21 GRANT PROGRAM, THE AMOUNTS OF GRANT MONEY REQUESTED BY EACH
22 APPLICANT, THE NUMBER OF GRANTS AWARDED UNDER THE BROADBAND
23 STIMULUS GRANT PROGRAM, AND THE AMOUNTS OF GRANT MONEY
24 AWARDED TO EACH APPLICANT UNDER THE BROADBAND STIMULUS GRANT
25 PROGRAM; AND

26 (III) THE AMOUNT OF MONEY EXPENDED FROM THE BROADBAND
27 STIMULUS ACCOUNT VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT

1 YET EXPENDED FROM THE BROADBAND STIMULUS ACCOUNT.

2 (e) WITH RESPECT TO GRANTS AWARDED PURSUANT TO THIS
3 SUBSECTION (9.5) AND FROM MONEY TRANSFERRED TO THE BROADBAND
4 STIMULUS ACCOUNT FROM THE ECONOMIC RECOVERY AND RELIEF CASH
5 FUND CREATED IN SECTION 24-75-228 (2)(a), GRANTS MAY ONLY BE
6 AWARDED FOR BROADBAND PROJECTS THAT, PURSUANT TO TREASURY
7 DEPARTMENT INTERIM REGULATIONS IMPLEMENTING THE FEDERAL
8 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, PROVIDE
9 BROADBAND INFRASTRUCTURE THAT IS DESIGNED TO PROVIDE SERVICE TO
10 UNSERVED OR UNDERSERVED HOUSEHOLDS AND BUSINESSES AND THAT IS
11 DESIGNED TO, UPON COMPLETION:

12 (I) RELIABLY MEET OR EXCEED SYMMETRICAL ONE HUNDRED
13 MEGABITS PER SECOND DOWNLOAD AND UPLOAD SPEEDS; OR

14 (II) IN CASES WHERE IT IS NOT PRACTICABLE, BECAUSE OF THE
15 EXCESSIVE COST OF THE PROJECT OR GEOGRAPHY OR TOPOGRAPHY OF THE
16 AREA TO BE SERVED BY THE PROJECT, PROVIDE SERVICE MEETING THE
17 STANDARDS SET FORTH IN SUBSECTION (9.5)(e)(I) OF THIS SECTION THAT:

18 (A) RELIABLY MEETS OR EXCEEDS ONE HUNDRED MEGABITS PER
19 SECOND DOWNLOAD SPEED AND IS BETWEEN AT LEAST TWENTY MEGABITS
20 PER SECOND AND ONE HUNDRED MEGABITS PER SECOND UPLOAD SPEED;
21 AND

22 (B) IS SCALABLE TO A MINIMUM OF ONE HUNDRED MEGABITS PER
23 SECOND DOWNLOAD SPEED AND ONE HUNDRED MEGABITS PER SECOND
24 UPLOAD SPEED.

25 (f) IF THE TREASURY DEPARTMENT MODIFIES ITS INTERIM
26 REGULATIONS IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN
27 ACT OF 2021", PUB.L. 117-2, GRANTS AWARDED PURSUANT TO

1 SUBSECTION (1)(e) OF THIS SECTION MAY ONLY BE AWARDED FOR
2 BROADBAND PROJECTS THAT COMPLY WITH THE MODIFIED FEDERAL
3 REGULATIONS.

4 (g) AS USED IN SUBSECTION (9.5)(e) OF THIS SECTION, "UNSERVED
5 OR UNDERSERVED HOUSEHOLDS AND BUSINESSES" MEANS ONE OR MORE
6 HOUSEHOLDS OR BUSINESSES THAT ARE NOT CURRENTLY SERVED BY A
7 WIRELINE CONNECTION THAT RELIABLY DELIVERS AT LEAST TWENTY-FIVE
8 MEGABITS PER SECOND DOWNSTREAM AND THREE MEGABITS PER SECOND
9 UPSTREAM.

10 (h) THIS SUBSECTION (9.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
11 2023.

12 (16) As used in this section:

13 (d.5) "COMMUNITY ANCHOR INSTITUTION" HAS THE MEANING SET
14 FORTH IN SECTION 24-37.5-902 (2).

15 (i.5) "INCOME-QUALIFIED PLAN" MEANS A PLAN THAT AN
16 APPLICANT SEEKING A BROADBAND STIMULUS GRANT PURSUANT TO
17 SUBSECTION (9.5) OF THIS SECTION INCLUDES IN THE APPLICATION TO
18 DEMONSTRATE THAT, AS PART OF THE APPLICANT'S PROPOSED PROJECT,
19 THE APPLICANT WOULD PROVIDE BROADBAND TO INCOME-QUALIFIED
20 CUSTOMERS IN THE PROPOSED SERVICE AREA AT A REDUCED COST.

21 **SECTION 10.** In Colorado Revised Statutes, 24-32-101, **add** (2)
22 as follows:

23 **24-32-101. Legislative declaration.** (2) THE GENERAL ASSEMBLY
24 FURTHER FINDS AND DECLARES THAT:

25 (a) THE PROVISION OF HIGH-SPEED BROADBAND PLAYS A CRITICAL
26 ROLE IN ENHANCING LOCAL GOVERNMENT AND COMMUNITY
27 DEVELOPMENT EFFORTS;

1 (b) REGIONAL, MULTIJURISDICTIONAL, AND COORDINATED
2 APPROACHES TO BROADBAND PLANNING ARE CRITICAL TO ACHIEVING THE
3 EFFICIENT DEPLOYMENT OF BROADBAND INFRASTRUCTURE AND
4 TECHNOLOGY; AND

5 (c) PUBLIC-PRIVATE PARTNERSHIPS HELP LEVERAGE RESOURCES OF
6 BOTH PRIVATE BROADBAND PROVIDERS AND LOCAL GOVERNMENTS TO
7 ACHIEVE STATEWIDE BROADBAND DEPLOYMENT.

8 **SECTION 11.** In Colorado Revised Statutes, **amend** 24-32-102
9 as follows:

10 **24-32-102. Definitions.** As used in this part 1, unless the context
11 otherwise requires:

12
13 (1) "BROADBAND FACILITY" MEANS ANY INFRASTRUCTURE USED
14 TO DELIVER BROADBAND OR PROVIDE BROADBAND.

15 (2) "COMMUNITY ANCHOR INSTITUTION" HAS THE MEANING SET
16 FORTH IN SECTION 24-37.5-902 (2).

17 (3) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT
18 CREATED IN SECTION 24-32-103.

19 (4) "INTERCONNECTIVITY GRANT PROGRAM" MEANS THE GRANT
20 PROGRAM CREATED IN SECTION 24-32-104 (4)(a).

21 (5) "INTERCONNECTIVITY GRANT PROGRAM FUND" MEANS THE
22 FUND CREATED IN SECTION 24-32-104 (4)(c).

23 (6) "LAST-MILE BROADBAND INFRASTRUCTURE" MEANS
24 BROADBAND INFRASTRUCTURE THAT DELIVERS AN INTERNET CONNECTION
25 TO AN END USER.

26 ~~(7)~~ (7) (a) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME
27 RULE MUNICIPALITY, COUNTY, CITY AND COUNTY, COUNCIL OF

1 GOVERNMENTS, OR METROPOLITAN DISTRICT THAT LIES WHOLLY WITHIN
2 THE UNINCORPORATED PART OF A COUNTY.

3 (b) "Local government" includes all ~~municipal corporations~~, quasi
4 municipalities ~~counties~~, and local improvement and service districts of
5 this state.

6 (8) "METROPOLITAN DISTRICT" HAS THE MEANING SET FORTH IN
7 SECTION 32-1-103 (10).

8 **SECTION 12.** In Colorado Revised Statutes, 24-32-104, **add**
9 (1)(n) and (4) as follows:

10 **24-32-104. Functions of the division - definition -**
11 **interconnectivity grant program - interconnectivity grant program**
12 **fund - reporting.** (1) The division shall perform the following functions:

13 (n) ~~SUBMIT TO THE COLORADO BROADBAND OFFICE CREATED IN~~
14 ~~SECTION 24-37.5-903 (1) FOR THE BROADBAND OFFICE'S REVIEW AND~~
15 ~~RECOMMENDATIONS A COPY OF EACH APPLICATION THAT THE DIVISION~~
16 ~~RECEIVES IN WHICH AN APPLICANT SEEKS GRANT MONEY FOR BROADBAND~~
17 ~~PLANNING OR INFRASTRUCTURE, WHICH GRANT THE DIVISION AWARDS~~
18 ~~FROM THE INTERCONNECTIVITY GRANT PROGRAM FUND. THE COLORADO~~
19 ~~BROADBAND OFFICE SHALL REVIEW EACH APPLICATION SUBMITTED AND~~
20 ~~PROVIDE THE DIVISION ITS RECOMMENDATIONS REGARDING THE~~
21 ~~APPLICATION AS SOON AS PRACTICABLE BUT NO LATER THAN THIRTY DAYS~~
22 ~~AFTER THE DIVISION HAS FURNISHED A COPY OF THE APPLICATION TO THE~~
23 ~~COLORADO BROADBAND OFFICE.~~

24 (4) (a) AS PART OF THE DIVISION'S WORK TO IMPROVE BROADBAND
25 SERVICE TO ITS LOCAL GOVERNMENT CONSTITUENTS, THE DIVISION SHALL
26 IMPLEMENT THE INTERCONNECTIVITY GRANT PROGRAM, WHICH IS HEREBY
27 CREATED, TO AWARD GRANT MONEY TO LOCAL GOVERNMENTS FOR

1 PROPOSED PROJECTS THAT:

2 (I) ENGAGE IN REGIONAL PLANNING AMONG MULTIPLE LOCAL
3 GOVERNMENTS TO:

4 (A) IDENTIFY REGIONAL BROADBAND INFRASTRUCTURE NEEDS;

5 (B) DETERMINE OPTIMAL REGIONAL CONFIGURATIONS OF
6 BROADBAND INFRASTRUCTURE; AND

7 (C) IDENTIFY POTENTIAL PUBLIC-PRIVATE PARTNERSHIPS TO
8 ACHIEVE OPTIMAL REGIONAL BROADBAND DEPLOYMENT; OR

9 (II) PROVIDE OR ENHANCE THE NETWORK CONNECTION BETWEEN
10 COMMUNITIES, INCLUDING THE INTERCONNECTION BETWEEN COMMUNITY
11 ANCHOR INSTITUTIONS.

12 (b) A RECIPIENT OF MONEY UNDER THE GRANT PROGRAM:

13 (I) SHALL NOT USE THE MONEY TO DEPLOY LAST-MILE BROADBAND
14 INFRASTRUCTURE OR TO PROVIDE BROADBAND INTERNET SERVICE AS
15 DEFINED IN SECTION 40-15-102 (3.5); EXCEPT THAT AN INDIAN TRIBE OR
16 NATION AWARDED GRANT MONEY MAY USE THE GRANT MONEY TO DEPLOY
17 LAST-MILE BROADBAND INFRASTRUCTURE; AND

18 (II) IS ENCOURAGED TO CONTRACT WITH THE OWNER OF:

19 (A) ANY EXISTING BROADBAND INFRASTRUCTURE LOCATED IN THE
20 AREA TO BE SERVED BY THE RECIPIENT'S PROPOSED PROJECT TO LEASE ANY
21 EXCESS CAPACITY OR OBTAIN A RIGHT-OF-WAY FROM THE OWNER IN
22 ORDER TO ATTACH THE RECIPIENT'S OWN BROADBAND FACILITIES IN THE
23 RIGHT-OF-WAY; OR

24 (B) ANY EXISTING ELECTRIC EASEMENT, AS THAT TERM IS DEFINED
25 IN SECTION 40-15-601 (5), LOCATED IN THE AREA TO BE SERVED BY THE
26 RECIPIENT'S PROPOSED PROJECT TO LEASE ANY EXCESS CAPACITY OR
27 INSTALL A BROADBAND FACILITY IN THE ELECTRIC EASEMENT PURSUANT

1 TO PART 6 OF ARTICLE 15 OF TITLE 40.

2 (c) THE INTERCONNECTIVITY GRANT PROGRAM FUND IS HEREBY
3 CREATED IN THE STATE TREASURY AND CONSISTS OF MONEY THE STATE
4 RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY
5 FUND CREATED IN THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
6 PUB.L. 117-2 AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY
7 APPROPRIATE. WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
8 SUBSECTION (4), THE STATE TREASURER SHALL TRANSFER FIVE MILLION
9 DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND
10 CREATED IN SECTION 24-75-228 (2)(a) TO THE FUND FOR USE BY THE
11 DIVISION FOR THE PURPOSE OF REVIEWING AND AWARDING GRANTS UNDER
12 THE GRANT PROGRAM. THE MONEY IN THE FUND IS SUBJECT TO
13 APPROPRIATION BY THE GENERAL ASSEMBLY.

14 (d) WITH RESPECT TO GRANTS AWARDED FROM MONEY
15 TRANSFERRED TO THE INTERCONNECTIVITY GRANT PROGRAM FUND FROM
16 THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION
17 24-75-228 (2)(a), GRANTS MAY ONLY BE AWARDED FOR BROADBAND
18 PROJECTS THAT, PURSUANT TO TREASURY DEPARTMENT INTERIM
19 REGULATIONS IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN
20 ACT OF 2021", PUB.L. 117-2, PROVIDE BROADBAND INFRASTRUCTURE
21 THAT IS DESIGNED TO PROVIDE SERVICE TO UNSERVED OR UNDERSERVED
22 HOUSEHOLDS AND BUSINESSES AND THAT IS DESIGNED TO, UPON
23 COMPLETION:

24 (I) RELIABLY MEET OR EXCEED SYMMETRICAL ONE HUNDRED
25 MEGABITS PER SECOND DOWNLOAD AND UPLOAD SPEEDS; OR

26 (II) IN CASES WHERE IT IS NOT PRACTICABLE, BECAUSE OF THE
27 EXCESSIVE COST OF THE PROJECT OR GEOGRAPHY OR TOPOGRAPHY OF THE

1 AREA TO BE SERVED BY THE PROJECT, PROVIDE SERVICE MEETING THE
2 STANDARDS SET FORTH IN SUBSECTION (4)(d)(I) OF THIS SECTION THAT:

3 (A) RELIABLY MEETS OR EXCEEDS ONE HUNDRED MEGABITS PER
4 SECOND DOWNLOAD SPEED AND IS BETWEEN AT LEAST TWENTY MEGABITS
5 PER SECOND AND ONE HUNDRED MEGABITS PER SECOND UPLOAD SPEED;
6 AND

7 (B) IS SCALABLE TO A MINIMUM OF ONE HUNDRED MEGABITS PER
8 SECOND DOWNLOAD SPEED AND ONE HUNDRED MEGABITS PER SECOND
9 UPLOAD SPEED.

10 (e) IF THE TREASURY DEPARTMENT MODIFIES ITS INTERIM
11 REGULATIONS IMPLEMENTING THE FEDERAL "AMERICAN RESCUE PLAN
12 ACT OF 2021", PUB.L. 117-2, GRANTS AWARDED PURSUANT TO
13 SUBSECTION (4)(d) OF THIS SECTION MAY ONLY BE AWARDED FOR
14 BROADBAND PROJECTS THAT COMPLY WITH THE MODIFIED FEDERAL
15 REGULATIONS.

16 (f) AS USED IN SUBSECTION (4)(d) OF THIS SECTION, "UNSERVED OR
17 UNDERSERVED HOUSEHOLDS AND BUSINESSES" MEANS ONE OR MORE
18 HOUSEHOLDS OR BUSINESSES THAT ARE NOT CURRENTLY SERVED BY A
19 WIRELINE CONNECTION THAT RELIABLY DELIVERS AT LEAST TWENTY-FIVE
20 MEGABITS PER SECOND DOWNSTREAM AND THREE MEGABITS PER SECOND
21 UPSTREAM.

22 (g) ON OR BEFORE JANUARY 1, 2022, AND WITHIN SIX MONTHS
23 AFTER A STATE FISCAL YEAR IN WHICH THE DIVISION AWARDS ONE OR
24 MORE GRANTS FOR BROADBAND DEPLOYMENT, WHETHER OR NOT
25 AWARDED UNDER THE GRANT PROGRAM, THE DIVISION SHALL SUBMIT A
26 REPORT TO THE COLORADO BROADBAND OFFICE REGARDING GRANTS
27 AWARDED IN THE MOST RECENT STATE FISCAL YEAR. REPORTS SUBMITTED

1 UNDER THIS SUBSECTION (4)(e) MUST INCLUDE:

2 (I) FOR EACH PROJECT AWARDED GRANT MONEY:

3 (A) A DESCRIPTION OF THE PROJECT, INCLUDING A DESCRIPTION OF
4 THE USE OF THE GRANT MONEY IN PROVIDING BROADBAND;

5 (B) A SUMMARY OF THE PROGRESS MADE ON THE PROJECT;

6 (C) THE ESTIMATED COMPLETION DATE FOR THE PROJECT OR, IF
7 ALREADY COMPLETED, THE DATE OF COMPLETION;

8 (D) A MAP OF THE AREAS TO BE SERVED OR ALREADY SERVED BY
9 THE PROJECT; AND

10 (E) THE TYPE OF TECHNOLOGY DEPLOYED OR USED FOR
11 BROADBAND PROVIDED THROUGH THE PROJECT;

12 (II) THE NUMBER OF GRANT APPLICANTS, THE AMOUNTS OF GRANT
13 MONEY REQUESTED BY EACH APPLICANT, THE NUMBER OF GRANTS
14 AWARDED, AND THE AMOUNTS OF GRANT MONEY AWARDED TO EACH
15 APPLICANT THAT RECEIVES AN AWARD; AND

16 (III) THE AMOUNT OF MONEY EXPENDED FOR GRANT AWARDS
17 VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT YET EXPENDED FOR
18 GRANT AWARDS.

19 **SECTION 13. Appropriations.** (1) For the 2020-21 state fiscal
20 year, \$35,000,000 is appropriated to the office of information technology
21 for use by the Colorado broadband office. This appropriation is from the
22 digital inclusion grant program fund created in section 24-37.5-904 (2),
23 C.R.S., and of money the state received from the federal coronavirus state
24 fiscal recovery fund. The Colorado broadband office may use this
25 appropriation to implement the digital inclusion grant program created in
26 section 24-37.5-904 (1)(a), C.R.S. Any money appropriated in this
27 subsection (1) not expended prior to July 1, 2021, is further appropriated

1 to the office of information technology for the 2021-22 state fiscal year
2 for the same purpose.

3 (2) For the 2020-21 state fiscal year, \$35,000,000 is appropriated
4 to the department of regulatory agencies for use by the broadband
5 deployment board. This appropriation is from the broadband stimulus
6 account in the broadband administrative fund created in section
7 40-15-509.5 (4), C.R.S., and of money the state received from the federal
8 coronavirus state fiscal recovery fund. The broadband deployment board
9 may use this appropriation to implement the broadband stimulus grant
10 program created in section 40-15-509.5 (8.7), C.R.S. Any money
11 appropriated in this subsection (2) not expended prior to July 1, 2021, is
12 further appropriated to the department for the 2021-22 state fiscal year for
13 the same purpose.

14 (3) For the 2020-21 state fiscal year, \$5,000,000 is appropriated
15 to the department of local affairs for use by the division of local
16 government. This appropriation is from the interconnectivity grant
17 program fund created in section 24-32-104 (4)(c), C.R.S., and of money
18 the state received from the federal coronavirus state fiscal recovery fund.
19 The division of local government may use this appropriation to implement
20 the interconnectivity grant program created in section 24-32-104 (4)(a),
21 C.R.S. Any money appropriated in this subsection (3) not expended prior
22 to July 1, 2021, is further appropriated to the department of local affairs
23 for use by the division of local government for the 2021-22 state fiscal
24 year for the same purpose.

25 **SECTION 14. Appropriations.** (1) For the 2020-21 state fiscal
26 year, \$35,000,000 is appropriated to the office of the governor for use by
27 the office of information technology for use by the Colorado broadband

1 office. This appropriation is from the digital inclusion grant program fund
2 created in section 24-37.5-904 (2), C.R.S., and of money the state
3 received from the federal coronavirus state fiscal recovery fund. The
4 Colorado broadband office may use this appropriation to implement the
5 digital inclusion grant program created in section 24-37.5-904 (1)(a),
6 C.R.S. Any money appropriated in this subsection (1) not expended prior
7 to July 1, 2021, is further appropriated to the office of the governor for
8 use by the office of information technology for the 2021-22 state fiscal
9 year for the same purpose.

10 (2) For the 2020-21 state fiscal year, \$35,000,000 is appropriated
11 to the office of the governor for use by the office of information
12 technology for the broadband deployment board. This appropriation is
13 from the broadband stimulus account in the broadband administrative
14 fund created in section 24-37.5-118 (4), C.R.S., and of money the state
15 received from the federal coronavirus state fiscal recovery fund. The
16 broadband deployment board may use this appropriation to implement the
17 broadband stimulus grant program created in section 24-37.5-118 (9.5),
18 C.R.S. Any money appropriated in this subsection (2) not expended prior
19 to July 1, 2021, is further appropriated to the office of the governor for
20 use by the office of information technology for the 2021-22 state fiscal
21 year for the same purpose.

22 (3) For the 2020-21 state fiscal year, \$5,000,000 is appropriated
23 to the department of local affairs for use by the division of local
24 government. This appropriation is from the interconnectivity grant
25 program fund created in section 24-32-104 (4)(c), C.R.S., and of money
26 the state received from the federal coronavirus state fiscal recovery fund.
27 The division of local government may use this appropriation to implement

1 the interconnectivity grant program created in section 24-32-104 (4)(a),
2 C.R.S. Any money appropriated in this subsection (3) not expended prior
3 to July 1, 2021, is further appropriated to the department of local affairs
4 for use by the division of local government for the 2021-22 state fiscal
5 year for the same purpose.

6 **SECTION 15. Effective date.** (1) Except as provided in
7 subsections (2) and (3) of this section, this act takes effect only if Senate
8 Bill 21-291 becomes law, in which case this act takes effect on the
9 effective date of this act or Senate Bill 21-291, whichever is later.

10 (2) Section 4 takes effect only if House Bill 21-1236 also becomes
11 law, in which case section 4 takes effect on the effective date of this act,
12 Senate Bill 21-291, or House Bill 21-1236, whichever is the latest.

13 (3) (a) Sections 8 and 13 take effect only if House Bill 21-1109
14 also becomes law, in which case sections 8 and 13 take effect on the
15 effective date of this act, Senate Bill 21-291, or House Bill 21-1109,
16 whichever is the latest.

17 (b) Sections 6, 7, and 12 take effect only if House Bill 21-1109
18 does not become law, in which case sections 6, 7, and 12 take effect on
19 the effective date of this act or Senate Bill 21-291, whichever is later.

20 **SECTION 16. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.