

**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

SENATE SPONSORSHIP

Bridges and Priola,

House Committees

Transportation & Local Government
Appropriations

Senate Committees

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.

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

4 **22-103-103. Connecting Colorado students grant program -**
5 **created - application - awards.** (5) By ~~February~~ JUNE 30, 2021, the
6 department shall distribute as grants to local education providers the
7 entire amount appropriated to the fund for the 2020-21 budget year, less
8 the amount allowed for expenses.

9 **SECTION 2.** In Colorado Revised Statutes, 22-103-104, **amend**
10 (1) introductory portion as follows:

11 **22-103-104. Report.** (1) On or before ~~July 15~~ NOVEMBER 15,
12 2021, the department shall submit a report to the state board of education,
13 governor, and education committees of the senate and house of
14 representatives or any successor committees, concerning implementation
15 of the program. After the initial report, the department shall submit a
16 report to the same parties within six months after the end of a budget year
17 in which the department awards one or more grants. At a minimum, the
18 report must describe:

19 **SECTION 3.** In Colorado Revised Statutes, 24-37.5-106, **amend**

1 (1)(u); and **add** (1)(v) as follows:

2 **24-37.5-106. Chief information officer - duties and**
3 **responsibilities - broadband inventory fund created.** (1) The chief
4 information officer shall:

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

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

9 **SECTION 4.** In Colorado Revised Statutes, 24-37.5-106, **as**
10 **repealed and reenacted by House Bill 21-1236 add** (2)(f) as follows:

11 **24-37.5-106. Chief information officer - duties and**
12 **responsibilities.** (2) The chief information officer shall:

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

15 **SECTION 5.** In Colorado Revised Statutes, **add** part 9 to article
16 37.5 of title 24 as follows:

17 PART 9

18 COLORADO BROADBAND OFFICE

19 **24-37.5-901. Legislative declaration.** (1) THE GENERAL
20 ASSEMBLY HEREBY FINDS AND DETERMINES THAT:

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

23 (I) DRIVE JOB CREATION;

24 (II) PROMOTE INNOVATION;

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

27 (IV) EXPAND MARKETS FOR COLORADO BUSINESSES;

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

5 (c) COMMUNITIES IN UNSERVED AREAS OF THE STATE NEED ACCESS
6 TO BROADBAND TO HELP OVERCOME ECONOMIC, HEALTH-CARE,
7 EDUCATION, AND GOVERNMENT-ACCESS INEQUITIES ARISING FROM THEIR
8 DIMINISHED ABILITY TO ACCESS BROADBAND.

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

16 **24-37.5-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
17 CONTEXT OTHERWISE REQUIRES:

18 (1) "BROADBAND" HAS THE MEANING SET FORTH IN SECTION
19 40-15-102 (3.3).

20 (2) "COLORADO BROADBAND OFFICE" OR "BROADBAND OFFICE"
21 MEANS THE COLORADO BROADBAND OFFICE CREATED IN SECTION
22 24-37.5-903 (1).

23 (3) "COMMUNITY ANCHOR INSTITUTION" HAS THE MEANING SET
24 FORTH IN SECTION 40-15-102 (5.2).

25 (4) "DEVICE" MEANS AN ELECTRONIC DEVICE THAT ENABLES
26 ACCESS TO OR USE OF THE INTERNET.

27 (5) "DIGITAL INCLUSION GRANT PROGRAM" OR "GRANT PROGRAM"

1 MEANS THE DIGITAL INCLUSION GRANT PROGRAM CREATED IN SECTION
2 24-37.5-904 (1).

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

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

9 (8) "LAST-MILE BROADBAND INFRASTRUCTURE" MEANS
10 BROADBAND INFRASTRUCTURE THAT DELIVERS AN INTERNET CONNECTION
11 TO AN END USER.

12 (9) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME RULE
13 MUNICIPALITY, COUNTY, CITY AND COUNTY, COUNCIL OF GOVERNMENTS,
14 OR METROPOLITAN DISTRICT THAT LIES WHOLLY WITHIN THE
15 UNINCORPORATED PART OF A COUNTY.

16 (10) "METROPOLITAN DISTRICT" HAS THE MEANING SET FORTH IN
17 SECTION 32-1-103 (10).

18 (11) "TELEHEALTH" HAS THE MEANING SET FORTH IN SECTION
19 10-16-123 (4)(e).

20 (12) "UNSERVED AREA" HAS THE MEANING SET FORTH IN SECTION
21 40-15-102 (32).

22 **24-37.5-903. Colorado broadband office - creation -**
23 **responsibilities - gifts, grants, or donations.** (1) THE COLORADO
24 BROADBAND OFFICE IS HEREBY CREATED IN THE OFFICE. THE COLORADO
25 BROADBAND OFFICE SHALL EXERCISE ITS POWERS AND PERFORM ITS
26 DUTIES AND FUNCTIONS UNDER THE OFFICE AS IF THE COLORADO
27 BROADBAND OFFICE WERE TRANSFERRED TO THE OFFICE BY A **TYPE 1**

1 TRANSFER AS DEFINED IN SECTION 24-1-105.

2 (2) (a) THE CHIEF INFORMATION OFFICER SHALL APPOINT THE
3 DIRECTOR OF THE BROADBAND OFFICE. THE DIRECTOR MAY EMPLOY STAFF
4 AS NECESSARY TO CARRY OUT THE POWERS AND DUTIES OF THE
5 BROADBAND OFFICE, SUBJECT TO THE AVAILABILITY OF APPROPRIATIONS
6 TO THE OFFICE FOR USE BY THE BROADBAND OFFICE.

7 (b) THE BROADBAND OFFICE SHALL PROVIDE TECHNICAL
8 ASSISTANCE TO APPLICANTS SEEKING GRANT AWARDS FROM THE GRANT
9 PROGRAM OR OTHER STATE OR FEDERAL GRANT OPPORTUNITIES OFFERED
10 FOR DEPLOYING BROADBAND SERVICE.

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

14 (3) THE BROADBAND OFFICE SHALL:

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

17 (b) SERVE AS THE CENTRAL BROADBAND POLICY COORDINATION
18 BODY FOR THE STATE;

19 (c) COORDINATE WITH OTHER STATE AGENCIES, LOCAL
20 GOVERNMENTS, THE FEDERAL GOVERNMENT, INDIAN TRIBES AND
21 NATIONS, OTHER RELEVANT BROADBAND PARTNERS, AND CONSUMERS
22 THROUGHOUT THE STATE TO DEVELOP STRATEGIES AND PLANS FOR
23 PROMOTING THE DEPLOYMENT OF BROADBAND INFRASTRUCTURE AND
24 GREATER BROADBAND ACCESS;

25 (d) REVIEW EXISTING STATE BROADBAND INITIATIVES, POLICIES,
26 AND DEPLOYMENT BY PUBLIC OR PRIVATE ENTITIES IN ORDER TO
27 PRIORITIZE INVESTMENT;

1 (e) DEVELOP AND IMPLEMENT A STATEWIDE PLAN TO ENCOURAGE
2 COST-EFFECTIVE BROADBAND ACCESS AND INCREASED BROADBAND
3 USAGE, PARTICULARLY IN RURAL UNSERVED AREAS AND OTHER UNSERVED
4 AREAS OF THE STATE. THE BROADBAND OFFICE SHALL SUBMIT THE
5 STATEWIDE PLAN, AND ANY UPDATED VERSIONS OF THE STATEWIDE PLAN,
6 TO THE CHIEF INFORMATION OFFICER, THE GOVERNOR, AND THE JOINT
7 TECHNOLOGY COMMITTEE AND SHALL POST THE STATEWIDE PLAN ON ITS
8 PUBLIC WEBSITE. IN DEVELOPING A STATEWIDE PLAN AND ANY OTHER
9 STRATEGIES FOR BROADBAND DEPLOYMENT, THE BROADBAND OFFICE
10 SHALL CONSIDER:

11 (I) PARTNERSHIPS BETWEEN COMMUNITIES; INDIAN TRIBES AND
12 NATIONS; NONPROFIT ORGANIZATIONS; LOCAL GOVERNMENTS; ELECTRIC
13 UTILITIES AS DEFINED IN SECTION 40-2-202 (1), COOPERATIVE ELECTRIC
14 ASSOCIATIONS AS DEFINED IN SECTION 40-9.5-102, MUNICIPALLY OWNED
15 UTILITIES, AND NONPROFIT GENERATION AND TRANSMISSION ELECTRIC
16 CORPORATIONS OR ASSOCIATIONS; RURAL TELECOMMUNICATIONS
17 PROVIDERS AS DEFINED IN SECTION 40-15-102 (24.5); AND PUBLIC AND
18 PRIVATE ENTITIES;

19 (II) FUNDING OPPORTUNITIES THAT ALLOW FOR THE
20 COORDINATION OF PUBLIC FUNDING SOURCES, INCLUDING LOCAL
21 GOVERNMENTS, STATE GOVERNMENT, AND THE FEDERAL GOVERNMENT,
22 AND PRIVATE FUNDING SOURCES FOR THE PURPOSE OF DEPLOYING
23 BROADBAND INTO RURAL UNSERVED AREAS AND OTHER UNSERVED AREAS
24 OF THE STATE;

25 (III) BARRIERS TO THE DEPLOYMENT, ADOPTION, AND UTILIZATION
26 OF BROADBAND, INCLUDING A CONSIDERATION OF THE AFFORDABILITY OF
27 BROADBAND; AND

1 (IV) STATEWIDE BROADBAND GOALS AND WHETHER STATUTORY
2 DEFINITIONS FOR BROADBAND IN UNSERVED AREAS NEED TO BE UPDATED
3 IN RESPONSE TO ADVANCES MADE IN BROADBAND TECHNOLOGY.

4 (f) COLLECT BROADBAND DATA TO CREATE AND UPDATE MAPS
5 THAT MEASURE THE PROGRESS OF BROADBAND DEPLOYMENT IN THE
6 STATE;

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

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

11 (I) GIFTS, GRANTS, OR DONATIONS FROM PUBLIC OR PRIVATE
12 SOURCES; AND

13 (II) MONEY FROM THE FEDERAL GOVERNMENT FOR BROADBAND
14 DEPLOYMENT. THE BROADBAND OFFICE MAY SEEK AND APPLY FOR ALL
15 FEDERAL FUNDS FOR WHICH THE BROADBAND OFFICE IS ELIGIBLE TO
16 RECEIVE.

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

20 (b) (I) THE CHIEF INFORMATION OFFICER MAY SEEK, ACCEPT, AND
21 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PUBLIC AND PRIVATE
22 SOURCES FOR THE PURPOSE OF IMPLEMENTING THIS SUBSECTION (4). THE
23 CHIEF INFORMATION OFFICER SHALL TRANSMIT ANY GIFTS, GRANTS, OR
24 DONATIONS RECEIVED PURSUANT TO THIS SUBSECTION (4) TO THE STATE
25 TREASURER WHO SHALL CREDIT THE MONEY TO THE DIGITAL INCLUSION
26 GRANT PROGRAM FUND.

27 (II) THE BROADBAND OFFICE SHALL NOT IMPLEMENT THIS

1 SUBSECTION (4) UNTIL SUFFICIENT FUNDING IS RECEIVED FROM GIFTS,
2 GRANTS, OR DONATIONS TO IMPLEMENT THIS SUBSECTION (4).

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

6 **24-37.5-904. Digital inclusion grant program - creation -**
7 **award criteria - digital inclusion grant program fund - reporting.**

8 (1) (a) THE DIGITAL INCLUSION GRANT PROGRAM IS CREATED FOR THE
9 PURPOSE OF ADVANCING THE STATE'S DIGITAL INCLUSION PRIORITIES,
10 WHICH PRIORITIES INCLUDE:

11 (I) INCREASING BROADBAND USAGE AND ACCESS TO BROADBAND
12 THROUGHOUT THE STATE;

13 (II) IMPROVING THE RELIABILITY AND AVAILABILITY OF
14 BROADBAND ON TRIBAL LANDS;

15 (III) ENHANCING DIGITAL LITERACY; AND

16 (IV) MAKING ACCESS TO BROADBAND MORE AFFORDABLE.

17 (b) THE COLORADO BROADBAND OFFICE SHALL IMPLEMENT THE
18 GRANT PROGRAM. DURING THE 2020-21 STATE FISCAL YEAR, THE
19 BROADBAND OFFICE SHALL AWARD:

20 (I) GRANTS TOTALING UP TO TWENTY MILLION DOLLARS TO ONE OR
21 MORE INDIAN TRIBES OR NATIONS FOR THE PURPOSE OF DEPLOYING
22 ADDITIONAL INFRASTRUCTURE ON TRIBAL LANDS AND PROVIDING DEVICES
23 TO INDIAN TRIBES OR NATIONS; AND

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

26 (c) IN REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS
27 PURSUANT TO THIS SECTION, THE BROADBAND OFFICE IS ENCOURAGED TO

1 CONSULT WITH THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
2 CREATED IN SECTION 24-48.5-101 (1), THE DEPARTMENT OF LOCAL
3 AFFAIRS, THE DEPARTMENT OF REGULATORY AGENCIES, THE DEPARTMENT
4 OF TRANSPORTATION, AND ANY OTHER AGENCIES, ORGANIZATIONS, OR
5 INDIVIDUALS WITH BROADBAND EXPERTISE.

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

9 (2) THE DIGITAL INCLUSION GRANT PROGRAM FUND IS HEREBY
10 CREATED IN THE STATE TREASURY. WITHIN THREE DAYS AFTER THE
11 EFFECTIVE DATE OF THIS SECTION, THE STATE TREASURER SHALL
12 TRANSFER THIRTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO
13 THE FUND FOR USE BY THE BROADBAND OFFICE FOR THE PURPOSE OF
14 REVIEWING AND AWARDED GRANTS UNDER THE GRANT PROGRAM. THE
15 MONEY IN THE FUND IS SUBJECT TO APPROPRIATION BY THE GENERAL
16 ASSEMBLY.

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

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

1 INCLUDE:

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

4 (A) A DESCRIPTION OF THE PROJECT;

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 AREA TO BE SERVED OR ALREADY SERVED BY
9 THE PROJECT;

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

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

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

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

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

27 **SECTION 6.** In Colorado Revised Statutes, 40-15-102, **add** (5.2),

1 (5.7), (9.2), and (24.7) as follows:

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

4 (5.2) "COMMUNITY ANCHOR INSTITUTION" MEANS A:

5 (a) SCHOOL;

6 (b) LIBRARY;

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

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

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

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

26 (9.2) "INCOME-QUALIFIED PLAN" MEANS A PLAN THAT AN
27 APPLICANT SEEKING A BROADBAND STIMULUS GRANT PURSUANT TO

1 SECTION 40-15-509.5 (8.7) INCLUDES IN THE APPLICATION TO
2 DEMONSTRATE THAT, AS PART OF THE APPLICANT'S PROPOSED PROJECT,
3 THE APPLICANT WOULD PROVIDE BROADBAND TO INCOME-QUALIFIED
4 CUSTOMERS IN THE PROPOSED SERVICE AREA AT A REDUCED COST.

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

16 **SECTION 7.** In Colorado Revised Statutes, 40-15-509.5, **add**
17 (4)(c) and (8.7) as follows:

18 **40-15-509.5. Broadband service - report - broadband**
19 **deployment board - broadband administrative fund - creation -**
20 **definitions - rules - repeal.** (4) (c) (I) THE BROADBAND STIMULUS
21 ACCOUNT, REFERRED TO IN THIS SUBSECTION (4)(c) AS THE "ACCOUNT",
22 IS HEREBY CREATED IN THE FUND. WITHIN THREE DAYS AFTER THE
23 EFFECTIVE DATE OF THIS SUBSECTION (4)(c), THE STATE TREASURER SHALL
24 TRANSFER THIRTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO
25 THE ACCOUNT. THE MONEY IN THE ACCOUNT IS SUBJECT TO ANNUAL
26 APPROPRIATION BY THE GENERAL ASSEMBLY FOR USE BY THE BOARD FOR
27 THE PURPOSE OF REVIEWING AND AWARDED GRANTS UNDER THE

1 BROADBAND STIMULUS GRANT PROGRAM CREATED IN SUBSECTION (8.7)
2 OF THIS SECTION. ALL INTEREST EARNED FROM INVESTMENT OF MONEY IN
3 THE ACCOUNT IS CREDITED TO THE ACCOUNT. ALL MONEY NOT EXPENDED
4 FROM THE ACCOUNT AT THE END OF A FISCAL YEAR REMAINS IN THE
5 ACCOUNT AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER
6 FUND.

7 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE SEPTEMBER
8 1, 2023.

9 (8.7) (a) (I) THE BROADBAND STIMULUS GRANT PROGRAM IS
10 HEREBY CREATED. AS PART OF THE GRANT PROGRAM, THE BOARD, IN ANY
11 GRANT FUNDING CYCLE IN 2021 THAT OCCURS AFTER THE EFFECTIVE DATE
12 OF THIS SUBSECTION (8.7):

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

21 (B) MAY ALSO AWARD GRANT MONEY TO NEW GRANT
22 APPLICATIONS RECEIVED.

23 (II) AN APPLICANT SEEKING A BROADBAND STIMULUS GRANT
24 UNDER THIS SUBSECTION (8.7) MUST MEET ALL OF THE GRANT AWARD
25 CRITERIA SET FORTH IN SUBSECTION (8) OF THIS SECTION AND THE
26 REQUIREMENTS SET FORTH IN THIS SUBSECTION (8.7).

27 (b) (I) THE BOARD SHALL AWARD GRANTS PURSUANT TO THIS

1 SUBSECTION (8.7) WITH MONEY IN THE BROADBAND STIMULUS ACCOUNT
2 CREATED IN SUBSECTION (4)(c) OF THIS SECTION UNTIL THE MONEY IN THE
3 ACCOUNT IS FULLY EXPENDED.

4 (II) AN APPLICANT SEEKING GRANT MONEY UNDER THE
5 BROADBAND STIMULUS GRANT PROGRAM MUST SUPPLEMENT A
6 PREVIOUSLY SUBMITTED APPLICATION WITH OR INCLUDE WITH A NEW
7 APPLICATION AN INCOME-QUALIFIED PLAN.

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

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

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

21 (I) FOR EACH PROJECT AWARDED GRANT MONEY UNDER THE
22 BROADBAND STIMULUS GRANT PROGRAM:

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

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

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

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

3 (E) THE PERCENTAGE OF CUSTOMERS WHO ACTIVATED
4 BROADBAND THROUGH THE BROADBAND NETWORK PROVIDED BY THE
5 PROJECT AFTER A BROADBAND CONNECTION WAS CREATED UNDER THE
6 PROJECT TO THEIR HOME OR ENTITY AND THE MEASURABLE SPEEDS MADE
7 AVAILABLE TO THEM;

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

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

12 (II) THE NUMBER OF APPLICANTS TO THE BROADBAND STIMULUS
13 GRANT PROGRAM, THE AMOUNTS OF GRANT MONEY REQUESTED BY EACH
14 APPLICANT, THE NUMBER OF GRANTS AWARDED UNDER THE BROADBAND
15 STIMULUS GRANT PROGRAM, AND THE AMOUNTS OF GRANT MONEY
16 AWARDED TO EACH APPLICANT UNDER THE BROADBAND STIMULUS GRANT
17 PROGRAM; AND

18 (III) THE AMOUNT OF MONEY EXPENDED FROM THE BROADBAND
19 STIMULUS ACCOUNT VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT
20 YET EXPENDED FROM THE BROADBAND STIMULUS ACCOUNT.

21 (e) THIS SUBSECTION (8.7) IS REPEALED, EFFECTIVE SEPTEMBER 1,
22 2023.

23 **SECTION 8.** In Colorado Revised Statutes, 24-32-101, **add** (2)
24 as follows:

25 **24-32-101. Legislative declaration.** (2) THE GENERAL ASSEMBLY
26 FURTHER FINDS AND DECLARES THAT:

27 (a) THE PROVISION OF HIGH-SPEED BROADBAND PLAYS A CRITICAL

1 ROLE IN ENHANCING LOCAL GOVERNMENT AND COMMUNITY
2 DEVELOPMENT EFFORTS;

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

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

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

12 **24-32-102. Definitions.** As used in this part 1, unless the context
13 otherwise requires:

14 (1) "BROADBAND" HAS THE MEANING SET FORTH IN SECTION
15 40-15-102 (3.3).

16 (2) "BROADBAND FACILITY" MEANS ANY INFRASTRUCTURE USED
17 TO DELIVER BROADBAND OR PROVIDE BROADBAND.

18 (3) "COMMUNITY ANCHOR INSTITUTION" HAS THE MEANING SET
19 FORTH IN SECTION 40-15-102 (5.2).

20 (4) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT
21 CREATED IN SECTION 24-32-103.

22 (5) "INTERCONNECTIVITY GRANT PROGRAM" MEANS THE GRANT
23 PROGRAM CREATED IN SECTION 24-32-104 (4)(a).

24 (6) "INTERCONNECTIVITY GRANT PROGRAM FUND" MEANS THE
25 FUND CREATED IN SECTION 24-32-104 (4)(c).

26 (7) "LAST-MILE BROADBAND INFRASTRUCTURE" MEANS
27 BROADBAND INFRASTRUCTURE THAT DELIVERS AN INTERNET CONNECTION

1 TO AN END USER.

2 (†) (8) (a) "LOCAL GOVERNMENT" MEANS A STATUTORY OR HOME
3 RULE MUNICIPALITY, COUNTY, CITY AND COUNTY, COUNCIL OF
4 GOVERNMENTS, OR METROPOLITAN DISTRICT THAT LIES WHOLLY WITHIN
5 THE UNINCORPORATED PART OF A COUNTY.

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

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

11 **SECTION 10.** In Colorado Revised Statutes, 24-32-104, **add**
12 (1)(n) and (4) as follows:

13 **24-32-104. Functions of the division - definition -**
14 **interconnectivity grant program - interconnectivity grant program**
15 **fund - reporting.** (1) The division shall perform the following functions:

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

27 (4) (a) AS PART OF THE DIVISION'S WORK TO IMPROVE BROADBAND

1 SERVICE TO ITS LOCAL GOVERNMENT CONSTITUENTS, THE DIVISION SHALL
2 IMPLEMENT THE INTERCONNECTIVITY GRANT PROGRAM, WHICH IS HEREBY
3 CREATED, TO AWARD GRANT MONEY TO LOCAL GOVERNMENTS FOR
4 PROPOSED PROJECTS THAT:

5 (I) ENGAGE IN REGIONAL PLANNING AMONG MULTIPLE LOCAL
6 GOVERNMENTS TO:

7 (A) IDENTIFY REGIONAL BROADBAND INFRASTRUCTURE NEEDS;

8 (B) DETERMINE OPTIMAL REGIONAL CONFIGURATIONS OF
9 BROADBAND INFRASTRUCTURE; AND

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

12 (II) PROVIDE OR ENHANCE THE NETWORK CONNECTION BETWEEN
13 COMMUNITIES, INCLUDING THE INTERCONNECTION BETWEEN COMMUNITY
14 ANCHOR INSTITUTIONS.

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

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

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

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

27 (B) ANY EXISTING ELECTRIC EASEMENT, AS THAT TERM IS DEFINED

1 IN SECTION 40-15-601 (5), LOCATED IN THE AREA TO BE SERVED BY THE
2 RECIPIENT'S PROPOSED PROJECT TO LEASE ANY EXCESS CAPACITY OR
3 INSTALL A BROADBAND FACILITY IN THE ELECTRIC EASEMENT PURSUANT
4 TO PART 6 OF ARTICLE 15 OF TITLE 40.

5 (c) THE INTERCONNECTIVITY GRANT PROGRAM FUND IS HEREBY
6 CREATED IN THE STATE TREASURY. WITHIN THREE DAYS AFTER THE
7 EFFECTIVE DATE OF THIS SUBSECTION (4), THE STATE TREASURER SHALL
8 TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND
9 FOR USE BY THE DIVISION FOR THE PURPOSE OF REVIEWING AND AWARDED
10 GRANTS UNDER THE GRANT PROGRAM. THE MONEY IN THE FUND IS
11 SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY.

12 (d) ON OR BEFORE JANUARY 1, 2022, AND WITHIN SIX MONTHS
13 AFTER A STATE FISCAL YEAR IN WHICH THE DIVISION AWARDS ONE OR
14 MORE GRANTS FOR BROADBAND DEPLOYMENT, WHETHER OR NOT
15 AWARDED UNDER THE GRANT PROGRAM, THE DIVISION SHALL SUBMIT A
16 REPORT TO THE COLORADO BROADBAND OFFICE REGARDING GRANTS
17 AWARDED IN THE MOST RECENT STATE FISCAL YEAR. REPORTS SUBMITTED
18 UNDER THIS SUBSECTION (4)(d) MUST INCLUDE:

- 19 (I) FOR EACH PROJECT AWARDED GRANT MONEY:
 - 20 (A) A DESCRIPTION OF THE PROJECT, INCLUDING A DESCRIPTION OF
21 THE USE OF THE GRANT MONEY IN PROVIDING BROADBAND;
 - 22 (B) A SUMMARY OF THE PROGRESS MADE ON THE PROJECT;
 - 23 (C) THE ESTIMATED COMPLETION DATE FOR THE PROJECT OR, IF
24 ALREADY COMPLETED, THE DATE OF COMPLETION;
 - 25 (D) A MAP OF THE AREAS TO BE SERVED OR ALREADY SERVED BY
26 THE PROJECT; AND
 - 27 (E) THE TYPE OF TECHNOLOGY DEPLOYED OR USED FOR

1 BROADBAND PROVIDED THROUGH THE PROJECT;

2 (II) THE NUMBER OF GRANT APPLICANTS, THE AMOUNTS OF GRANT
3 MONEY REQUESTED BY EACH APPLICANT, THE NUMBER OF GRANTS
4 AWARDED, AND THE AMOUNTS OF GRANT MONEY AWARDED TO EACH
5 APPLICANT THAT RECEIVES AN AWARD; AND

6 (III) THE AMOUNT OF MONEY EXPENDED FOR GRANT AWARDS
7 VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT YET EXPENDED FOR
8 GRANT AWARDS.

9 **SECTION 11. Appropriations.** (1) For the 2020-21 state fiscal
10 year, \$35,000,000 is appropriated to the office of information technology
11 for use by the Colorado broadband office. This appropriation is from the
12 digital inclusion grant program fund created in section 24-37.5-904 (2),
13 C.R.S. The Colorado broadband office may use this appropriation to
14 implement the digital inclusion grant program created in section
15 24-37.5-904 (1)(a), C.R.S. Any money appropriated in this subsection (1)
16 not expended prior to July 1, 2021, is further appropriated to the office of
17 information technology for the 2021-22 state fiscal year for the same
18 purpose.

19 (2) For the 2020-21 state fiscal year, \$35,000,000 is appropriated
20 to the department of regulatory agencies for use by the broadband
21 deployment board. This appropriation is from the broadband stimulus
22 account in the broadband administrative fund created in section
23 40-15-509.5 (4), C.R.S. The broadband deployment board may use this
24 appropriation to implement the broadband stimulus grant program created
25 in section 40-15-509.5 (8.7), C.R.S. Any money appropriated in this
26 subsection (2) not expended prior to July 1, 2021, is further appropriated
27 to the department for the 2021-22 state fiscal year for the same purpose.

1 (3) For the 2020-21 state fiscal year, \$5,000,000 is appropriated
2 to the department of local affairs for use by the division of local
3 government. This appropriation is from the interconnectivity grant
4 program fund created in section 24-32-104 (4)(c), C.R.S. The division of
5 local government may use this appropriation to implement the
6 interconnectivity grant program created in section 24-32-104 (4)(a),
7 C.R.S. Any money appropriated in this subsection (3) not expended prior
8 to July 1, 2021, is further appropriated to the department of local affairs
9 for use by the division of local government for the 2021-22 state fiscal
10 year for the same purpose.

11 **SECTION 12. Effective date.** (1) Except as provided in
12 subsection (2) of this section, this act takes effect upon passage.

13 (2) Section 4 takes effect only if House Bill 21-1236 becomes
14 law, in which case section 4 takes effect on the effective date of this act
15 or House Bill 21-1236, whichever is later.

16 **SECTION 13. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.