

HB1109_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB21-1109 be amended as follows:

1 Amend printed bill, page 3, strike lines 15 through 17 and substitute
2 "HOUSEHOLD OR AREA, MEANS A HOUSEHOLD OR AREA THAT LACKS
3 ACCESS TO AT LEAST ONE NONSATELLITE PROVIDER OF".

4 Page 4, line 1, after "(5)(b)," insert "(8)(a)(II)(B)".

5 Page 4, line 3, after "(8)(a)(VI)," insert "(8)(a)(VII)".

6 Page 4, line 21, strike "THE GOVERNOR" and substitute "AN APPOINTING
7 AUTHORITY".

8 Page 5, line 27, before "WIRELINE" insert "RURAL".

9 Page 6, line 8, strike "GOVERNOR;" and substitute "MINORITY LEADER OF
10 THE SENATE;".

11 Page 6, lines 11 and 12, strike "MINORITY LEADER OF THE SENATE;" and
12 substitute "GOVERNOR;".

13 Page 7, strike lines 11 through 13 and substitute:

14 "(a) (II) To prove that the area to be served is an unserved area,
15 the applicant:

16 (B) May submit to the board EITHER the written certification of a
17 local entity as described in subsection (8)(a)(III) of this section OR A
18 SPEED TEST PERFORMED IN ACCORDANCE WITH SUBSECTION (8)(a)(VII) OF
19 THIS SECTION.

20 (V) (A) THE BOARD SHALL DEVELOP A REQUEST FOR PROPOSAL
21 PROCESS UNDER WHICH, FOR EACH CALENDAR YEAR, THE BOARD RESERVES
22 UP TO SIXTY PERCENT OF THE HCSM MONEY ALLOCATED FOR".

23 Page 7, after line 18 insert:

24 "(B) ALL APPLICATION AND APPEAL PROCESSES AND CRITERIA SET
25 FORTH IN THIS SUBSECTION (8) APPLY TO THE REQUEST FOR PROPOSAL
26 PROCESS; EXCEPT THAT THE REQUIREMENT TO PROVE THAT AN AREA TO BE
27 SERVED BY A PROPOSED PROJECT IS AN UNSERVED AREA AS SET FORTH IN
28 SUBSECTION (8)(a)(I) OF THIS SECTION DOES NOT APPLY AND SUBSECTIONS
29 (8)(a)(II), (8)(a)(III), (8)(b), AND (8)(c.5) OF THIS SECTION DO NOT APPLY.
30 SUBSECTION (8)(d)(II) OF THIS SECTION ONLY APPLIES TO THE REQUEST

1 FOR PROPOSAL PROCESS IN THE LIMITED MANNER INDICATED IN THAT
2 SUBSECTION.

3 (C) THE BOARD, IN IMPLEMENTING THE REQUEST FOR PROPOSAL
4 PROCESS, NEED NOT COMPLY WITH THE "PROCUREMENT CODE", ARTICLES
5 101 TO 112 OF TITLE 24.

6 (D) THIS SUBSECTION (8)(a)(V) IS REPEALED, EFFECTIVE JANUARY
7 1, 2025."

8 Page 7, line 19, strike "(B)" and substitute "(VI) (A)".

9 Renumber succeeding subparagraph accordingly.

10 Page 7, strike line 22 and substitute "IN THE STATE. THE BOARD SHALL
11 UTILIZE THE MAPS SUBMITTED WHEN REVIEWING ANY APPLICATION OR
12 APPEAL PURSUANT TO THIS SECTION.

13 (B) WITH REGARD TO THE REQUEST FOR PROPOSAL PROCESS SET
14 FORTH IN SUBSECTION (8)(a)(V) OF THIS SECTION, BASED ON THE".

15 Page 8, strike lines 2 through 6.

16 Page 8, strike lines 7 through 10 and substitute:

17 "(VII) IF AN APPLICANT FILING AN APPLICATION OR AN APPELLANT
18 FILING AN APPEAL PURSUANT TO SUBSECTION (8)(j)(III) OF THIS SECTION
19 SUBMITS, AS PART OF THE APPLICATION OR APPEAL, A SPEED TEST
20 PERFORMED ON AN INCUMBENT PROVIDER'S NETWORK, THE SPEED TEST
21 SHALL BE PERFORMED IN".

22 Page 9, line 26, after "THIRD-PARTY" insert "PERFORMANCE-TESTING".

23 Page 10, line 20, after "POLYGON" insert "OR LOCATION COORDINATES".

24 Page 10, strike lines 26 and 27 and substitute:

25 "(10.5) (a) The board may apply for OR OTHERWISE RECEIVE
26 federal funding of broadband deployment projects and programs. IF THE
27 BOARD RECEIVES ANY FEDERAL FUNDING, THE BOARD SHALL UTILIZE THE
28 REQUEST FOR PROPOSAL PROCESS ESTABLISHED UNDER SUBSECTION
29 (8)(a)(V) OF THIS SECTION TO DISTRIBUTE THE FEDERAL FUNDS AS SOON
30 AS PRACTICABLE, SO LONG AS SUCH PROCESS COMPLIES WITH FEDERAL
31 REQUIREMENTS FOR USE OF THE FUNDS.

32 (b) The HCSM third-party contractor".

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