H-1889.1 _____

SUBSTITUTE HOUSE BILL 1701
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State of Washington   **61st Legislature**   **2009 Regular Session**

By House Technology, Energy & Communications (originally sponsored by Representatives Hudgins, McCoy, and Hasegawa)

READ FIRST TIME 02/12/09.

1   AN ACT Relating to authorizing the department of information
2 services to engage in high-speed internet activities; amending RCW
3 43.105.350; and adding new sections to chapter 43.105 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5   NEW SECTION. **Sec. 1.** A new section is added to chapter 43.105 RCW
6 to read as follows:
7   (1) Subject to the availability of federal or state funding
8 appropriated for this specific purpose, the department shall implement
9 a high-speed internet deployment and adoption strategy on behalf of the
10 state, beginning in underserved areas and areas with an uptake rate for
11 high-speed internet below the state median.
12   (2) The department may accept aggregated data from providers of
13 telecommunications or high-speed internet infrastructure for the
14 purposes of creating a geographic information system map of the current
15 state of high-speed internet infrastructure and service availability
16 and adoption.
17   (3) The department may solicit and receive gifts, grants, and
18 bequests for high-speed internet deployment and adoption efforts.

1   (4) The department may create an interactive web site to allow
2   residents to self-report whether high-speed internet is available at
3   their home or residence and at what speed.
4   (5) The department may receive federal funds made available for
5   broadband or high-speed internet purposes according to the provisions
6   of the acts of congress making the funds available. Funds must be
7   expended in accordance with federal and state law and any conditions
8   contingent in the grant of those funds.
9   (6) The department may adopt rules as necessary to carry out the
10   provisions of this section and section 2 of this act.

11   NEW SECTION. **Sec. 2.** A new section is added to chapter 43.105 RCW
12   to read as follows:
13   (1) The department shall conduct a detailed survey of all high-
14   speed internet infrastructure owned or leased by state agencies.
15   (2) Within existing resources, the department shall use the
16   information gathered under subsection (1) of this section to create a
17   geographic information system map of all high-speed internet
18   infrastructure owned or leased by the state by December 1, 2016.
19   (3) State agencies shall respond to any request for information
20   from the department in a reasonable and timely manner, not to exceed
21   one hundred twenty days.
22   (4) For purposes of this section, "state agency" includes every
23   state office, department, division, bureau, board, commission, or other
24   state agency.

25   **Sec. 3.** RCW 43.105.350 and 2008 c 262 s 3 are each amended to read
26   as follows:
27   (1) For purposes of ((compliance with section 2, chapter 262, Laws
28   of 2008 or)) any ((subsequent)) state high-speed internet deployment
29   and adoption initiative, the department of information services, the
30   department of community, trade, and economic development, the utilities
31   and transportation commission, and any other government agent or agency
32   shall not ((gather or request any information related to high-speed
33   internet infrastructure or service from)) require providers of
34   telecommunications or high-speed internet services ((that is)) to
35   provide information related to high-speed internet infrastructure or
36   service that may be classified by the provider as proprietary or

1 competitively sensitive, but may accept, store, and use such
2 information if voluntarily offered by the provider or if provided by
3 the federal government to facilitate implementation of a high-speed
4 internet deployment and adoption initiative.
5   (2) Nothing in this section may be construed as limiting the
6 authority of a state agency or local government to gather or request
7 information from providers of telecommunications or high-speed internet
8 services for other purposes pursuant to its statutory authority.

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