
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1701

State of Washington

61st Legislature

2009 Regular Session

By House Ways & Means (originally sponsored by Representatives Hudgins, McCoy, and Hasegawa)

READ FIRST TIME 03/03/09.

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; adding new sections to chapter 43.105 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 pursue deployment and adoption of high-speed internet services in the
8 state to promote economic development and the creation of green jobs,
9 with the ultimate goal of making high-speed internet more readily
10 available throughout the state.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.105 RCW
12 to read as follows:

13 (1) The department is designated as an eligible entity for purposes
14 of the broadband data improvement act, P.L. 110-385.

15 (2) The department is authorized to receive federal funds made
16 available for broadband or high-speed internet purposes according to
17 the provisions of the acts of congress making the funds available.

1 Funds must be expended in accordance with federal and state law and any
2 conditions contingent in the grant of those funds.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.105 RCW
4 to read as follows:

5 (1) Subject to the availability of federal or state funding
6 appropriated for this specific purpose, the department shall implement
7 a high-speed internet deployment and adoption strategy on behalf of the
8 state, beginning in areas with an uptake rate for high-speed internet
9 below the state median. Implementation of the strategy may include:

10 (a) Developing an interactive web site to allow residents to self-
11 report whether high-speed internet is available at their home or
12 residence and at what speed;

13 (b) Soliciting and receiving gifts, grants, and bequests for high-
14 speed internet deployment and adoption efforts; and

15 (c) Conducting a detailed survey of all high-speed internet
16 infrastructure owned or leased by state agencies and creating a
17 geographic information system map of all high-speed internet
18 infrastructure owned or leased by the state.

19 (2) State agencies responding to a survey request from the
20 department under subsection (1)(c) of this section shall respond in a
21 reasonable and timely manner, not to exceed one hundred twenty days.
22 State agencies, if surveyed, shall disclose to the department, at a
23 minimum:

24 (a) The total bandwidth of high-speed internet infrastructure owned
25 or leased;

26 (b) The cost of maintaining that high-speed internet
27 infrastructure, if owned, or the price paid for the high-speed internet
28 infrastructure, if leased; and

29 (c) The leasing entity, if applicable.

30 (3) The department may adopt rules as necessary to carry out the
31 provisions of this section.

32 (4) For purposes of this section, "state agency" includes every
33 state office, department, division, bureau, board, commission, or other
34 state agency.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.105 RCW
36 to read as follows:

1 (1) The department is authorized, through a competitive bidding
2 process, to procure on behalf of the state a geographic information
3 system map detailing high-speed internet infrastructure, service
4 availability, and adoption. This geographic information system map may
5 include adoption information, availability information, type of high-
6 speed internet deployment technology, and available speed tiers for
7 high-speed internet based on publicly available form 477 aggregated
8 data collected by the federal communications commission.

9 (2) The department may procure this map either by:

10 (a) Contracting for and purchasing a completed map from a third
11 party; or

12 (b) Working directly with the federal communications commission to
13 accept publicly available data based on form 477 data.

14 **Sec. 5.** RCW 43.105.350 and 2008 c 262 s 3 are each amended to read
15 as follows:

16 (1) For purposes of ~~((compliance with section 2, chapter 262, Laws~~
17 ~~of 2008 or))~~ any ~~((subsequent))~~ state high-speed internet deployment
18 and adoption initiative, the department of information services, the
19 department of community, trade, and economic development, the utilities
20 and transportation commission, and any other government agent or agency
21 shall not ~~((gather or request any information related to high-speed~~
22 ~~internet infrastructure or service from))~~ require providers of
23 telecommunications or high-speed internet services ~~((that is))~~ to
24 provide information related to high-speed internet infrastructure or
25 service that may be classified by the provider as proprietary or
26 competitively sensitive, but may accept, store, and use such
27 information if voluntarily offered by the provider or if provided by
28 the federal government to facilitate implementation of a high-speed
29 internet deployment and adoption initiative.

30 (2) Nothing in this section may be construed as limiting the
31 authority of a state agency or local government to gather or request
32 information from providers of telecommunications or high-speed internet
33 services for other purposes pursuant to its statutory authority.

--- END ---