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**SENATE BILL 5586**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Frockt, Hasegawa, Mullet, and Nguyen

Prefiled 12/22/21. Read first time 01/10/22. Referred to Committee on Business, Financial Services & Trade.

1 AN ACT Relating to the authority of the community economic  
2 revitalization board with respect to loans and grants to political  
3 subdivisions and federally recognized Indian tribes for broadband;  
4 adding a new section to chapter 43.160 RCW; and creating a new  
5 section.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that high-speed  
8 internet connectivity through broadband is essential to support:  
9 Educational opportunity; innovations in the provision of education,  
10 public safety, and health care; and business growth. The legislature  
11 also finds that open access broadband networks create a public  
12 platform that bolsters the private sector's ability to provide  
13 broadband internet access to communities for which access was  
14 previously cost-prohibitive. Therefore, to efficiently and  
15 sustainably expand access to broadband throughout Washington, this  
16 act establishes a grant and loan program through the community  
17 economic revitalization board for local governments and federally  
18 recognized Indian tribes to develop open access broadband networks.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.160  
20 RCW to read as follows:

1 (1) Subject to the availability of amounts appropriated for this  
2 specific purpose, the board is authorized to make broadband loans and  
3 grants to local governments and to federally recognized Indian tribes  
4 for the purposes of financing the cost to build infrastructure to  
5 provide high-speed, open access broadband service for the purpose of  
6 economic development or community development. However, no more than  
7 50 percent of all financial assistance approved by the board in any  
8 biennium may consist of grants to local governments and federally  
9 recognized Indian tribes.

10 (2) An application for funding must be made in the form and  
11 manner as the board may prescribe. In making grants or loans, the  
12 board must conform to the following requirements:

13 (a) The board may not provide financial assistance for:

14 (i) A project where the primary purpose is to facilitate or  
15 promote gambling; and

16 (ii) The deployment of a publicly owned telecommunications  
17 infrastructure network, or backbone, solely for the sake of creating  
18 a competitive, publicly owned telecommunications infrastructure  
19 network;

20 (b) The board may provide financial assistance for projects that  
21 encourage, foster, develop, and improve broadband within the state in  
22 order to:

23 (i) Drive job creation, promote innovation, and expand markets  
24 for local businesses; or

25 (ii) Serve the ongoing and growing needs of local education  
26 systems, health care systems, public safety systems, industries,  
27 businesses, governmental operations, and citizens;

28 (c) An application must be approved by:

29 (i) The local government and supported by the local associate  
30 development organization or local workforce development council; or

31 (ii) The governing body of the federally recognized Indian tribe;

32 (d) The board may allow de minimis general system improvements to  
33 be funded if they are critically linked to the viability of the  
34 project;

35 (e) When evaluating and prioritizing projects, the board must  
36 give consideration, at a minimum, to the following factors:

37 (i) The project's value to the community, including evidence of  
38 support from affected local businesses and government;

39 (ii) The project's feasibility, using standard economic  
40 principles;

1           (iii) The commitment of local matching resources and local  
2 participation;

3           (iv) The project uses a technology-neutral approach in order to  
4 expand access at the lowest cost;

5           (v) The project's inclusion in a capital facilities plan,  
6 comprehensive plan, or local economic development plan consistent  
7 with applicable state planning requirements; and

8           (vi) The project's readiness to proceed.

9           (3) A responsible official of the local government or the  
10 federally recognized Indian tribe must be present during board  
11 deliberations and provide information that the board requests.

12           (4) Before any financial assistance application is approved, the  
13 local government or the federally recognized Indian tribe seeking the  
14 assistance must demonstrate to the board that no other timely source  
15 of funding is available to it at costs reasonably similar to  
16 financing available from the board.

17           (5) For the purposes of this section, "broadband" means networks  
18 of deployed telecommunications equipment and technologies necessary  
19 to provide high-speed internet access and other advanced  
20 telecommunications services.

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