

## SB0214S01 compared with SB0214

~~text~~ shows text that was in SB0214 but was deleted in SB0214S01.

text shows text that was not in SB0214 but was inserted into SB0214S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Chris H. Wilson proposes the following substitute bill:

### UTAH BROADBAND CENTER ADVISORY COMMISSION

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Chris H. Wilson**

House Sponsor: \_\_\_\_\_

---

#### LONG TITLE

##### General Description:

This bill creates the Utah Broadband Center Advisory Commission.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Utah Broadband Center Advisory Commission (the commission);
- ▶ directs the appointment of members to the commission;
- ▶ directs the commission to:
  - solicit input from stakeholders;
  - make recommendations to the Utah Broadband Center with respect to the development of a strategic plan; and
  - make recommendations to the Utah Broadband Center with respect to the use of

## SB0214S01 compared with SB0214

funds;

- ▶ requires the Utah Broadband Center to consult with the commission;
- ▶ requires the Utah Broadband Center to report annually to the commission and to the Public Utilities, Energy, and Technology Interim Committee; and
- ▶ sets a repeal date for the commission.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

AMENDS:

**63I-2-236**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 8

**63N-17-201**, as enacted by Laws of Utah 2021, Chapter 282

ENACTS:

**36-29-109**, Utah Code Annotated 1953

**63N-17-203**, Utah Code Annotated 1953

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **36-29-109** is enacted to read:

**36-29-109. Utah Broadband Center Advisory Commission.**

(1) As used in this section:

(a) "Broadband infrastructure funds" means the funds available for broadband infrastructure pursuant to:

(i) the Infrastructure Investment and Jobs Act, Pub. L. No. 115-58;

(ii) legislative appropriations; and

(iii) state and federal grants.

(~~f~~a)~~b~~) "Center" means the Utah Broadband Center created in Section 63N-17-201.

(~~f~~b)~~c~~) "Commission" means the Utah Broadband Center Advisory Commission created in Subsection (2).

{ ~~(c) "Federal infrastructure funds" means the funds available to states pursuant to the Infrastructure Investment and Jobs Act, Pub. L. No. 115-58.~~

## SB0214S01 compared with SB0214

‡ (d) "Strategic plan" means the statewide digital connectivity plan described in Section 63N-17-203.

(2) There is created the Utah Broadband Center Advisory Commission consisting of the following nine voting members:

(a) two members of the Senate, appointed by the president of the Senate;

(b) two members of the House of Representatives, appointed by the speaker of the House of Representatives;

(c) the executive director of the Governor's Office of Planning and Budget, or the executive director's designee;

(d) the governor shall appoint four members who currently work in the public sector and who have professional experience in:

(i) broadband or broadband infrastructure;

(ii) applying for federal grants; or

(iii) financing infrastructure.

(3) In addition to the nine voting members, the director of the center, or the director's designee, shall serve on the commission in a nonvoting capacity.

(4) (a) The president of the Senate shall designate one of the members described in Subsection (2)(a) to serve as cochair of the commission.

(b) The speaker of the House of Representatives shall designate one of the members described in Subsection (2)(b) to serve as cochair of the commission.

(5) (a) If a vacancy occurs in the membership of the commission, the member shall be replaced in the same manner in which the original appointment was made.

(b) A member shall serve until the member's successor is appointed and qualified.

(6) (a) A majority of the members of the commission constitutes a quorum.

(b) The action of a majority of a quorum constitutes an action of the commission.

(7) (a) Salaries and expenses of the members of the commission who are legislators shall be paid in accordance with:

(i) Section 36-2-2;

(ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation Expenses; and

(iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

## SB0214S01 compared with SB0214

(b) A member of the commission who is not a legislator may not receive compensation for the member's work associated with the commission but may receive per diem and reimbursement for travel expenses incurred as a member of the commission at the rates established by the Division of Finance under:

(i) Sections 63A-3-106 and 63A-3-107; and

(ii) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

(8) The center shall provide staff support to the commission.

(9) The commission shall:

(a) make recommendations to the center with respect to:

(i) strategic plan development; ~~and~~

(ii) the application for and use of ~~{federal}~~ broadband infrastructure funds;

~~{~~ (iii) the application for and use of other federal or state funds; and

~~—~~ (iv) the application for and use of funds received or made available through legislative appropriations;

~~‡~~ (b) solicit input from relevant stakeholders, including:

(i) public and private entities who may assist in developing and implementing the strategic plan; and

(ii) public and private entities whom the strategic plan may impact;

(c) provide recommendations for strategic plan development and implementation based on the input described in Subsection (9)(b);

(d) review strategic plan drafts; and

(e) recommend changes.

(10) The commission shall meet as needed.

Section 2. Section **63I-2-236** is amended to read:

**63I-2-236. Repeal dates -- Title 36.**

(1) Section 36-29-107.5 is repealed on November 30, 2023.

(2) The following sections regarding the State Flag Task Force are repealed on January 1, 2024:

(a) Section 36-29-201;

(b) Section 36-29-202; and

## SB0214S01 compared with SB0214

(c) Section 36-29-203.

(3) Section 36-29-109 is repealed on November 30, 2027.

Section 3. Section **63N-17-201** is amended to read:

### **63N-17-201. Utah Broadband Center -- Creation -- Director -- Duties.**

(1) There is created within the office the Utah Broadband Center.

(2) The executive director shall appoint a director of the broadband center to oversee the operations of the broadband center.

(3) The broadband center shall:

(a) ensure that publicly funded broadband projects continue to be publicly accessible and provide a public benefit;

(b) develop [~~a statewide digital connectivity plan~~] the statewide digital connectivity plan described in Section 63N-17-203;

(c) carry out the duties described in Section 63N-17-202; and

(d) administer the Broadband Access Grant Program in accordance with Part 3, Broadband Access Grant Program.

(e) The broadband center shall ensure efficiency with respect to:

(i) expenditure of funds; and

(ii) avoiding duplication of efforts.

(f) The broadband center shall consider administering broadband infrastructure funds in a manner that:

(i) minimizes state use of state and federal funds;

(ii) avoids the use of public funds for broadband facilities that duplicate existing broadband facilities that already meet or exceed federal standards; and

(iii) accounts for the benefits and costs to the state of existing facilities, equipment, and services of public and private broadband providers.

Section 4. Section **63N-17-203** is enacted to read:

### **63N-17-203. Statewide digital connectivity plan.**

(1) As used in this section:

(a) "Commission" means the Utah Broadband Center Advisory Commission created in Section 36-29-109.

(b) "Strategic plan" means the statewide digital connectivity plan created in Subsection

## SB0214S01 compared with SB0214

(2).

(2) The center shall develop the statewide digital connectivity plan.

(3) The strategic plan shall include strategies to:

(a) implement broadband connectivity statewide;

(b) promote digital equity;

(c) apply for federal infrastructure funds; and

(d) apply for additional funds.

(4) In developing the strategic plan, the center shall work with the commission.

(5) The center shall provide the commission with status updates regarding:

(a) implementation of ~~the commission's~~ recommendations;

(b) ~~recommendations the center has received from the Transportation Commission, created in Section 72-1-301;~~

(c) strategic plan development;

~~(d)~~ strategic plan implementation;

~~(d)~~ grants received;

~~(e)~~ projects funded; and

~~(f)~~ recommendations for legislation.

(6) The center shall submit the strategic plan to the commission for the commission's recommendation before finalizing the strategic plan.

(7) On or before November 30 of each year, the center shall report to the commission and the Public Utilities, Energy, and Technology Interim Committee regarding the status updates described in Subsection (5).

Section 5. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.