

First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

Attachment F

DRAFT
1.15.09

DRAFT

LLS NO. 09-0744.01 Duane Gall

SENATE BILL

SENATE SPONSORSHIP

Schwartz,

HOUSE SPONSORSHIP

(None),

SHORT TITLE: "Telecom Inventory Accept Public Funding"

DEADLINES: File by: 1/30/2009

A BILL FOR AN ACT

101 CONCERNING THE OPERATION OF THE PROJECT BY THE STATE'S CHIEF
102 INFORMATION OFFICER TO CREATE AN INVENTORY OF
103 BROADBAND SERVICE AREAS, AND, IN CONNECTION THEREWITH,
104 AUTHORIZING THE ACCEPTANCE OF PUBLICLY FUNDED GIFTS,
105 GRANTS, AND DONATIONS; EXTENDING THE TARGET DATES FOR
106 COMPLETION OF SPECIFIED PHASES OF THE PROJECT; AND
107 MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Amends statutes adopted in 2008 for the creation of an inventory of broadband service areas within the state by:

- Removing an existing limitation to the acceptance of private gifts, grants, and donations to help finance the creation of the inventory;
- Extending the deadline for the chief information officer to estimate the amount of moneys needed for the creation of the inventory;
- Extending the deadline for completion of the inventory; and
- Extending the self-repeal date for the statutes governing creation of the inventory.

Makes an appropriation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 24-37.5-106 (3) (e), (3) (f), and (3) (g), Colorado
3 Revised Statutes, are amended to read:

4 **24-37.5-106. Chief information officer - duties and**
5 **responsibilities - broadband inventory fund created - repeal.**

6 **(3) Broadband service areas - planning documents - statewide map.**

7 (e) The inventory shall be completed on or before ~~April~~ AUGUST 1, 2009,
8 and made available to the general assembly in accordance with section
9 24-1-136 (9). In addition, the chief information officer shall publish, on
10 a publicly available web site, the aggregate data on which the inventory
11 is based.

12 **(f) Funding.** (I) The office of ~~information technology~~ may
13 accept allocations from the high cost support mechanism created pursuant
14 to section 40-15-208, C.R.S., if necessary, as well as PUBLIC OR private
15 gifts, grants, and donations, for the purpose of implementing this
16 subsection (3). Any such gifts, grants, and donations shall be held in the
17 broadband inventory fund, also referred to in this section as the "fund",
18 which fund is hereby created in the state treasury. The fund shall also

1 consist of moneys appropriated and transferred to the fund. Earnings
2 from investment of moneys in the fund shall be credited to the fund.
3 Moneys in the fund shall be annually appropriated to the chief
4 information officer for the purpose of implementing this subsection (3).

5 (II) It is the intent of the general assembly that the office of
6 ~~information technology~~ solicit gifts, grants, and donations from all
7 available sources for the purposes of this section, only drawing upon the
8 high cost support mechanism pursuant to subparagraph (III) of this
9 paragraph (f) as a last resort, and that no general fund moneys be used to
10 pay for the implementation of this subsection (3).

11 (III) On or before September 1, 2008, the chief information officer
12 shall estimate the amount necessary to finance the implementation of this
13 subsection (3). If, by that time, moneys in the fund created pursuant to
14 subparagraph (I) of this paragraph (f) do not equal or exceed that amount,
15 the public utilities commission shall direct payments of up to one hundred
16 thousand dollars into the fund from the high cost support mechanism
17 created in section 40-15-208, (3), C.R.S.

18 (g) **Repeal.** This subsection (3) is repealed, effective July 1, 2009
19 2010.

20 **SECTION 2. Appropriation.** In addition to any other
21 appropriation, there is hereby appropriated, to the office of the governor,
22 for allocation to the office of information technology, for the fiscal year
23 beginning July 1, 2008, the sum of three hundred eighty-five thousand
24 two hundred sixteen dollars (\$385,216), or so much thereof as may be
25 necessary, from the broadband inventory fund created in section
26 24-37.5-106, Colorado Revised Statutes, for the implementation of this
27 act.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.