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1 AMENDMENT TO HOUSE BILL 5752

2 AMENDMENT NO. _____. Amend House Bill 5752 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Broadband Advisory Council Act.

6 Section 5. Legislative findings and purpose. The General
7 Assembly finds as follows:

8 (1) a goal of the State of Illinois is to make
9 available to its citizens affordable, reliable, and
10 state-of-the-art Internet communications through the
11 expansion, extension, and general availability of
12 broadband services and technology, and to encourage the
13 adoption of broadband by all citizens;

14 (2) that, although broadband access has been extended
15 to many areas of the State, many rural areas remain
16 unserved and, although many neighborhoods in urban and

1 suburban areas have broadband options, some urban
2 neighborhoods remain unserved;

3 (3) that fair and equitable access to 21st century
4 technology is essential to (A) maximize the functionality
5 of educational resources and educational facilities that
6 enable our children and adults to receive the best of
7 future teaching and learning, (B) civic engagement, (C)
8 economic development, (D) access to state-of-the-art health
9 care, (E) aging in place, (F) participation in a global
10 economy, and (G) the State's farming communities; and

11 (4) accordingly, it is the purpose of the General
12 Assembly to provide for the development of policies to
13 promote (A) extending broadband access to citizens of
14 Illinois and (B) eliminating barriers to widespread
15 adoption of broadband Internet access.

16 Section 10. Definitions. As used in this Act:

17 "Broadband" or "broadband service" means lines (or
18 wireless channels) that terminate at an end-user location and
19 enable the end-user to receive information from or send
20 information to the Internet.

21 "Council" means the Broadband Advisory Council.

22 "Downstream data rate" means the transmission speed from
23 the service provider source to the end-user.

24 "Internet protocol address" or "IP address" means a unique
25 string of numbers separated by periods that identifies each

1 computer using the Internet protocol to communicate over a
2 network.

3 "Low-income household" means a residential household with
4 annual household income at or below 135% of the poverty
5 guidelines updated periodically in the Federal Register by the
6 U.S. Department of Health and Human Services under the
7 authority of 42 U.S.C. 9902(2).

8 "Upstream data rate" means the transmission speed from the
9 end-user to the service provider source.

10 "Unserved area" means a community that has no access to
11 broadband service.

12 Section 15. Broadband Advisory Council; members of
13 Council; administrative support.

14 (a) The Broadband Advisory Council is hereby established.
15 The Department of Commerce and Economic Opportunity shall house
16 the Council and provide administrative, personnel, and
17 technical support services.

18 (b) The Council shall consist of the following 21 voting
19 members:

20 (1) the Director of Commerce and Economic Opportunity
21 or his or her designee;

22 (2) the Secretary of Innovation and Technology or his
23 or her designee;

24 (3) the Director of Aging or his or her designee;

25 (4) the Attorney General or his or her designee;

1 (5) the Chairman of the Illinois Commerce Commission or
2 his or her designee;

3 (6) one member appointed by the Director of Healthcare
4 and Family Services to represent the needs of disabled
5 citizens;

6 (7) one member appointed by the Director of Commerce
7 and Economic Opportunity and nominated by the president of
8 a statewide organization representing electric
9 cooperatives;

10 (8) one member appointed by the Director of Commerce
11 and Economic Opportunity and nominated by the executive
12 director of a statewide organization representing
13 municipalities;

14 (9) one member appointed by the Director of Commerce
15 and Economic Opportunity and nominated by the president of
16 a statewide organization representing libraries;

17 (10) one member appointed by the Director of Commerce
18 and Economic Opportunity and nominated by the president of
19 a statewide organization representing public housing
20 authorities;

21 (11) one member appointed by the Chair of the Illinois
22 Community College Board;

23 (12) one member appointed by the Chair of the Illinois
24 Board of Higher Education; and

25 (13) one member appointed by the Director of Commerce
26 and Economic Opportunity and nominated by the president of

1 the State's largest general farm organization;

2 (14) one member appointed by the Director of Aging and
3 nominated by an organization representing Illinois' senior
4 population with a membership of at least 1,500,000;

5 (15) seven members to represent broadband providers
6 for 3-year terms appointed by the Governor as follows:

7 (A) one member representing an incumbent local
8 exchange carrier that serves rural areas;

9 (B) one member representing an incumbent local
10 exchange carrier that serves urban areas;

11 (C) one member representing wireless carriers that
12 offer broadband Internet access;

13 (D) one member representing cable companies that
14 serve Illinois;

15 (E) one member representing a statewide rural
16 broadband association;

17 (F) one member representing a telecommunications
18 carrier issued a certificate of public convenience and
19 necessity or a certificate of service authority from
20 the Illinois Commerce Commission, whose principal
21 place of business is located in east central Illinois
22 and who is engaged in providing broadband access in
23 rural areas through the installation of broadband
24 lines that connect telecommunications facilities to
25 other telecommunications facilities or to end-users;
26 and

1 (G) one member representing satellite providers.

2 (c) In addition to the 21 voting members of the Council,
3 the President of the Senate, the Minority Leader of the Senate,
4 the Speaker of the House of Representatives, and the Minority
5 Leader of the House of Representatives shall each appoint one
6 non-voting member of the Council.

7 (d) The members shall select a chair and vice chair from
8 their number. In the absence of the chair, the vice chair shall
9 serve as chair. The Council shall appoint a secretary-treasurer
10 who need not be a member of the Council and who, among other
11 tasks or functions designated by the Council, shall keep
12 records of its proceedings.

13 (e) The Council may appoint working groups to investigate
14 and make recommendations to the full Council. Members of these
15 working groups need not be members of the Council.

16 (f) Seven voting members of the Council constitute a
17 quorum, and the affirmative vote of a simple majority of those
18 members present is necessary for any action taken by vote of
19 the Council.

20 (g) Members shall serve without compensation and may be
21 reimbursed for reasonable expenses incurred in the performance
22 of their duties from funds appropriated for that purpose.

23 Section 20. Powers and duties of the Council generally.

24 (a) The Council shall:

25 (1) explore any and all ways to expand the availability

1 to end-user customers of broadband services using
2 available technologies, including, but not limited to,
3 wireline, wireless, fixed wireless, and satellite
4 applications;

5 (2) identify barriers to broadband adoption among the
6 residents and small businesses of Illinois;

7 (3) research ways to eliminate barriers to adoption
8 through measures such as: digital literacy programs;
9 programs to assist older citizens in using broadband
10 Internet access; programs to facilitate adoption by
11 disabled citizens; and programs to encourage collaborative
12 efforts among public universities, community colleges,
13 libraries, public housing, and other institutions;

14 (4) assess the availability of broadband for
15 low-income households compared to the availability of
16 broadband for other households;

17 (5) explore the potential for increased use of
18 broadband service for the purposes of education, career
19 readiness, workforce preparation, and alternative career
20 training;

21 (6) explore the potential for increased use of
22 broadband services to facilitate aging in place;

23 (7) explore ways for encouraging State and municipal
24 agencies, including public housing authorities, to expand
25 the use of broadband services for the purpose of better
26 serving the public, including audio and video streaming,

1 voice-over Internet protocol, teleconferencing, and
2 wireless networking;

3 (8) cooperate and assist in the expansion of electronic
4 instruction and distance education services; and

5 (9) as the Federal Communications Commission updates
6 the benchmark downstream data rates and upstream data
7 rates, publish the revised data rates in the Illinois
8 Register within 60 days after the federal update.

9 (b) In addition to the powers set forth elsewhere in this
10 Act, the Council is hereby granted the powers necessary to
11 carry out the purpose and intent of this Act, as enumerated in
12 this Section, including, but not limited to:

13 (1) promoting awareness of public facilities that have
14 community broadband access that can be used for distance
15 education and workforce development; and

16 (2) advising on deployment of e-government portals
17 such that all public bodies and political subdivisions have
18 websites and encourage one-stop government access and that
19 all public entities stream audio and video of all public
20 meetings.

21 (c) The Council shall also:

22 (1) monitor the broadband-based development efforts of
23 other states in areas such as business, education, aging in
24 place, and health;

25 (2) receive input provided on a voluntary basis from all
26 Illinois broadband stakeholders and advise the Governor

1 and the General Assembly on policies related to broadband
2 in Illinois, provided that no stakeholders shall be
3 required to publicly disclose competitively sensitive
4 information or information that could compromise network
5 security or undermine the efficacy of reasonable network
6 management practices, and that any such information
7 voluntarily disclosed shall be protected from public
8 disclosure; and

9 (3) serve as the broadband advocate to State agencies
10 and other State entities to communicate the broadband needs
11 of citizens and organizations that do not have access to
12 broadband service or to broadband service adequate for
13 their needs.

14 (d) The Council shall exercise its powers and authority to
15 (1) advise and make recommendations to the General Assembly and
16 the Governor on bringing broadband service to unserved rural
17 and urban areas, (2) advise and make recommendations to the
18 General Assembly and the Governor on facilitating broadband
19 adoption by all citizens, and (3) propose statutory changes
20 that may enhance and expand broadband in the State.

21 (e) The Council shall report to the General Assembly on or
22 before January 1 of each year. The report to the General
23 Assembly shall be filed with the Clerk of the House of
24 Representatives and the Secretary of the Senate in electronic
25 form only, in the manner that the Clerk and the Secretary shall
26 direct. The report shall include the action that was taken by

1 the Council during the previous year in carrying out the
2 provisions of this Act. The Council shall also make any other
3 reports as may be required by the General Assembly or the
4 Governor.".