Amend the Transportation and Local Government Committee Report, dated May 4, 2021, page 1, after line 8 insert:

"Page 5 of the printed bill, strike lines 17 and 18 and substitute:

"(3) COMMUNITY ANCHOR INSTITUTION" MEANS A:
(a) SCHOOL;
(b) LIBRARY;
(c) HOSPITAL OR OTHER HEALTH-CARE FACILITY LICENSED OR CERTIFIED PURSUANT TO SECTION 25-1.5-103;
(d) LAW ENFORCEMENT, EMERGENCY MEDICAL SERVICE PROVIDER, OR OTHER PUBLIC SAFETY AGENCY; OR
(e) COMMUNITY SUPPORT ORGANIZATION, AGENCY, OR LOCAL GOVERNMENT FACILITY THAT PROVIDES OUTREACH, ACCESS, EQUIPMENT, OR SUPPORT SERVICES TO FACILITATE GREATER USE OF BROADBAND THROUGHOUT THE COMMUNITY, ESPECIALLY GREATER USE BY VULNERABLE POPULATIONS WITHIN THE COMMUNITY, SUCH AS LOW-INCOME, UNEMPLOYED, AND SENIOR POPULATIONS.".

Page 6 of the bill, after line 11 insert:

"(11) "SCHOOL" MEANS A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-1-108 (7)(g)(II), A SCHOOL DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22, A CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION 22-30.5-503, AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF TITLE 22, AN ADULT EDUCATION PROVIDER AS DEFINED IN SECTION 22-10-103 (1.5) BUT EXCLUDING A PRIVATE PROVIDER, OR AN INDIAN TRIBE OR NATION THAT OPERATES A PUBLIC SCHOOL IN COLORADO.".

Renumber succeeding subsections accordingly.".

Page 2 of the report, after line 15 insert:

"Page 17 of the bill, after line 8 insert:

"SECTION 8. In Colorado Revised Statutes, 24-37.5-118, as relocated and amended by House Bill 21-1109 amend (4); and add

LLS: Jennifer Berman x3286
(9.5), (16)(d.5), and (16)(i.5) as follows:

24-37.5-118. Broadband service - report - broadband deployment board - broadband administrative fund - creation - legislative declaration - definitions - rules - repeal. (4) (a) There is hereby created in the state treasury the broadband administrative fund, referred to in this section as the "fund". The fund consists of all money allocated from the HCSM for the administration of the board and all money that the general assembly may appropriate to the fund. The money in the fund is subject to annual appropriation by the general assembly for the purposes set forth in this section. All interest earned from the investment of money in the fund is credited to the fund. All money not expended at the end of any state fiscal year remains in the fund and does not revert to the general fund or any other fund.

(b)(I) THE BROADBAND STIMULUS ACCOUNT, REFERRED TO IN THIS SUBSECTION (4)(b) AS THE "ACCOUNT", IS HEREBY CREATED IN THE FUND. WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (4)(b), THE STATE TREASURER SHALL TRANSFER THIRTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE ACCOUNT. THE MONEY IN THE ACCOUNT IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR USE BY THE BOARD FOR THE PURPOSE OF REVIEWING AND AWARDING GRANTS UNDER THE BROADBAND STIMULUS GRANT PROGRAM CREATED IN SUBSECTION (9.5) OF THIS SECTION. ALL INTEREST EARNED FROM INVESTMENT OF MONEY IN THE ACCOUNT IS CREDITED TO THE ACCOUNT. ALL MONEY NOT EXPENDED FROM THE ACCOUNT AT THE END OF A FISCAL YEAR REMAINS IN THE ACCOUNT AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

(II) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

(9.5) (a) (I) THE BROADBAND STIMULUS GRANT PROGRAM IS HEREBY CREATED. AS PART OF THE GRANT PROGRAM, THE BOARD, IN ANY GRANT FUNDING CYCLE IN 2021 THAT OCCURS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9.5):

(A) IS ENCOURAGED TO AWARD GRANT MONEY TO APPLICANTS THAT APPLIED FOR GRANTS UNDER SUBSECTION (9) OF THIS SECTION IN THE PREVIOUS FIVE YEARS, MET ALL OF THE AWARD CRITERIA SET FORTH IN SUBSECTION (9) OF THIS SECTION BUT WERE DENIED GRANTS DUE TO THE INSUFFICIENCY OF GRANT MONEY AVAILABLE AT THE TIME OF APPLICATION, AND, AS DETERMINED BY THE BOARD, CONTINUE TO MEET ALL OF THE AWARD CRITERIA SET FORTH IN SUBSECTION (9) OF THIS SECTION; AND

(B) MAY ALSO AWARD GRANT MONEY TO NEW GRANT APPLICATIONS RECEIVED.

(II) AN APPLICANT SEEKING A BROADBAND STIMULUS GRANT
UNDER THIS SUBSECTION (9.5) MUST MEET ALL OF THE GRANT AWARD
CRITERIA SET FORTH IN SUBSECTION (9) OF THIS SECTION AND THE
REQUIREMENTS SET FORTH IN THIS SUBSECTION (9.5).

(b) (I) The board shall award grants pursuant to this
subsection (9.5) with money in the broadband stimulus account
created in subsection (4)(b) of this section until the money in the
account is fully expended.

(II) An applicant seeking grant money under the
broadband stimulus grant program must supplement a
previously submitted application with or include with a new
application an income-qualified plan.

(III) In awarding grants pursuant to this subsection (9.5),
the board is encouraged to give priority to proposed projects
that will serve critically unserved areas of the state.

(c) On or before January 1, 2022, the board shall submit a
report to the governor and the general assembly’s joint budget
committee and joint technology committee regarding the
board’s implementation of this subsection (9.5). After the initial
report the board shall submit subsequent reports to the same
parties within six months after the end of any state fiscal year
in which the board awards one or more grants pursuant to this
subsection (9.5).

(d) Reports submitted pursuant to subsection (9.5)(c) of
this section must include:

(I) For each project awarded grant money under the
broadband stimulus grant program:

(A) A description of the project, including a description of
the use of the grant money in providing broadband;

(B) A summary of the progress made on the project;

(C) The estimated completion date for the project or, if
already completed, the date of completion;

(D) A map of the areas to be served or already served by
the project;

(E) The percentage of customers who activated
broadband through the broadband network provided by the
project after a broadband connection was created under the
project to their homes or entities and the measurable speeds
made available to them;

(F) The type of technology deployed or used for
broadband provided through the project; and

(G) The number of households, community anchor
institutions, municipalities, and counties served by the project.

(II) The number of applicants to the broadband stimulus
GRANT PROGRAM, THE AMOUNTS OF GRANT MONEY REQUESTED BY EACH
APPLICANT, THE NUMBER OF GRANTS AWARDED UNDER THE BROADBAND
STIMULUS GRANT PROGRAM, AND THE AMOUNTS OF GRANT MONEY
AWARDED TO EACH APPLICANT UNDER THE BROADBAND STIMULUS GRANT
PROGRAM; AND

(III) THE AMOUNT OF MONEY EXPENDED FROM THE BROADBAND
STIMULUS ACCOUNT VERSUS THE AMOUNT OF MONEY OBLIGATED BUT NOT
YET EXPENDED FROM THE BROADBAND STIMULUS ACCOUNT.

(e) THIS SUBSECTION (9.5) IS REPEALED, EFFECTIVE SEPTEMBER 1,
2023.

(16) As used in this section:

(d.5) "COMMUNITY ANCHOR INSTITUTION" HAS THE MEANING SET
FORTH IN SECTION 24-37.5-902 (3).

(i.5) "INCOME-QUALIFIED PLAN" MEANS A PLAN THAT AN
APPLICANT SEEKING A BROADBAND STIMULUS GRANT PURSUANT TO
SUBSECTION (9.5) OF THIS SECTION INCLUDES IN THE APPLICATION TO
DEMONSTRATE THAT, AS PART OF THE APPLICANT'S PROPOSED PROJECT,
THE APPLICANT WOULD PROVIDE BROADBAND TO INCOME-QUALIFIED
CUSTOMERS IN THE PROPOSED SERVICE AREA AT A REDUCED COST."

Renumber succeeding sections accordingly.

Page 18 of the bill, strike line 5 and substitute "FORTH IN SECTION
24-37.5-902 (3).".

Page 3 of the report, strike lines 4 through 9 and substitute:

"SECTION 13. Appropriations. (1) For the 2020-21 state fiscal
year, $35,000,000 is appropriated to the office of the governor for use by
the office of information technology for use by the Colorado broadband
office. This appropriation is from the digital inclusion grant program fund
created in section 24-37.5-904 (2), C.R.S. The Colorado broadband office
may use this appropriation to implement the digital inclusion grant
program created in section 24-37.5-904 (1)(a), C.R.S. Any money
appropriated in this subsection (1) not expended prior to July 1, 2021, is
further appropriated to the office of the governor for use by the office of
information technology for the 2021-22 state fiscal year for the same
purpose.

(2) For the 2020-21 state fiscal year, $35,000,000 is appropriated
to the office of the governor for use by the office of information
technology for the broadband deployment board. This appropriation is
from the broadband stimulus account in the broadband administrative
fund created in section 24-37.5-118 (4), C.R.S. The broadband
deployment board may use this appropriation to implement the broadband
stimulus grant program created in section 24-37.5-118 (9.5), C.R.S. Any
money appropriated in this subsection (2) not expended prior to July 1,
2021, is further appropriated to the office of the governor for use by the
office of information technology for the 2021-22 state fiscal year for the
same purpose.

(3) For the 2020-21 state fiscal year, $5,000,000 is appropriated
to the department of local affairs for use by the division of local
government. This appropriation is from the interconnectivity grant
program fund created in section 24-32-104 (4)(c), C.R.S. The division of
local government may use this appropriation to implement the
interconnectivity grant program created in section 24-32-104 (4)(a),
C.R.S. Any money appropriated in this subsection (3) not expended prior
to July 1, 2021, is further appropriated to the department of local affairs
for use by the division of local government for the 2021-22 state fiscal
year for the same purpose.

SECTION 14. Effective date. (1) Except as provided in
subsections (2) and (3) of this section, this act takes effect upon passage.

(2) Section 4 takes effect only if House Bill 21-1236 becomes
law, in which case section 4 takes effect on the effective date of this act
or House Bill 21-1236, whichever is later.

(3) (a) Sections 8 and 13 take effect only if House Bill 21-1109
becomes law, in which case sections 8 and 13 take effect on the effective
date of this act or House Bill 21-1109, whichever is later.

(b) Sections 6, 7, and 12 take effect only if House Bill 21-1109
does not become law, in which case sections 6, 7, and 12 take effect on
the effective date of this act.".

Renumber succeeding section accordingly.".

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