

ASSEMBLY BILL

No. 2163

**Introduced by Assembly Members Robert Rivas, Aguiar-Curry,
and Mathis**
**(Coauthors: Assembly Members Arambula, Eduardo Garcia, Kalra,
Salas, and Mark Stone)**
(Coauthors: Senators Caballero and Nielsen)

February 11, 2020

An act to add Chapter 7.3 (commencing with Section 11787) to Part 1 of Division 3 of Title 2 of the Government Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 2163, as introduced, Robert Rivas. Rural Broadband and Emergency Infrastructure Grant Act of 2020.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law establishes, among other funds related to telecommunications, the California Advanced Services Fund (CASF) in the State Treasury. Existing law requires the commission to develop, implement, and administer the CASF to encourage the deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Existing law requires the commission to approve infrastructure projects supported by expenditures from the fund that provide last-mile broadband access to households that are unserved by an existing facilities-based broadband provider.

This bill would establish the Rural Broadband and Emergency Infrastructure Grant Act of 2020 to ensure that all California fairgrounds are equipped with adequate broadband and telecommunications infrastructure to support local, regional, and state emergency and disaster response personnel and systems. The bill would, upon appropriation, require the Department of Technology, Department of Food and Agriculture, Public Utilities Commission, California Broadband Council, and Office of Emergency Services to jointly develop the Rural Broadband and Emergency Infrastructure Grant Program to provide each California fairground with grant moneys to support broadband and telecommunications infrastructure deployment.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) The availability of high-speed internet service, referred to
4 generically as “broadband” and including both wired and wireless
5 technologies, is essential to supporting California’s 21st century
6 infrastructure and for improving economic productivity and quality
7 of life.
8 (2) Increasing access to broadband in unserved and underserved
9 areas of the state fulfills a fundamental governmental purpose and
10 function and provides public benefits to the residents of California
11 by increasing access to health care, education, and essential
12 services, providing economic opportunities, and enhancing public
13 health and safety.
14 (3) Broadband is also vital to the operation of other critical
15 infrastructure, such as energy generation facilities and the electrical
16 grid, water supply systems, and public safety and emergency
17 response networks. California needs far-reaching world-class
18 broadband infrastructure to support that critical infrastructure, and
19 thereby to protect lives, property, and the environment.
20 (4) Many rural, agricultural, and low-income communities
21 throughout the state lack access to reliable and affordable
22 broadband, which creates barriers to health care access, educational
23 equity, sustainable agriculture, emergency response capabilities,
24 and economic development.

1 (5) A 2017 report by the Public Utilities Commission stated
2 that less than one-half of the state's rural population has access to
3 broadband compared to 98 percent of the urban population.

4 (6) A 2019 report by the California Emerging Technology Fund
5 found one in eight homes in California lacks access to broadband
6 through a computing device or smart phone, and that those homes
7 without access to broadband are disproportionately located in poor
8 neighborhoods and rural communities.

9 (7) One solution to address this inequity is to ensure that
10 broadband infrastructure is installed at all California fairgrounds,
11 which are focal points for many rural communities and have
12 immense economic, educational, social, and cultural opportunities
13 and impacts.

14 (8) Fairgrounds provide equitable and essential access points
15 as staging areas for first responders and as evacuation and recovery
16 centers. Unfortunately, many fairgrounds lack one vital element:
17 permanent high-speed open-access internet.

18 (9) The Federal Communications Commission adopted a
19 national broadband plan that includes recommendations directed
20 to federal, state, and local governments, including
21 recommendations to do all of the following:

22 (A) Design policies to ensure robust competition and maximize
23 consumer welfare, innovation, and investment.

24 (B) Ensure efficient allocation and management of assets that
25 the government controls or influences to encourage network
26 upgrades and lower barriers to competitive entry.

27 (C) Reform current universal service mechanisms to support
28 deployment in high-cost areas, ensuring that low-income
29 Americans can afford broadband and supporting efforts to boost
30 adoption and utilization.

31 (D) Reform laws, policies, standards, and incentives to maximize
32 the benefits of broadband in sectors that government influences
33 significantly, such as public education, health care, and government
34 operations.

35 (b) It is therefore the intent of the Legislature that California be
36 a national leader and globally competitive in the deployment and
37 adoption of broadband technology and in implementing quality
38 universal broadband internet access for all residents.

39 SEC. 2. Chapter 7.3 (commencing with Section 11787) is added
40 to Part 1 of Division 3 of Title 2 of the Government Code, to read:

1 CHAPTER 7.3. RURAL BROADBAND AND EMERGENCY
2 INFRASTRUCTURE GRANT ACT OF 2020
3

4 11787. (a) The Rural Broadband and Emergency Infrastructure
5 Grant Act of 2020 is hereby established to ensure that all California
6 fairgrounds are equipped with adequate broadband and
7 telecommunications infrastructure to support local, regional, and
8 state emergency and disaster response personnel and operations.

9 (b) Upon appropriation, the Department of Technology,
10 Department of Food and Agriculture, Public Utilities Commission,
11 California Broadband Council, and Office of Emergency Services
12 shall jointly develop the Rural Broadband and Emergency
13 Infrastructure Grant Program to provide each California fairground
14 with grant moneys to support broadband and telecommunications
15 infrastructure deployment.

16 (c) It is the intent of the Legislature that the Rural Broadband
17 and Emergency Infrastructure Grant Program do all of the
18 following:

19 (1) Ensure that the grant moneys are primarily used to fund
20 critical broadband infrastructure and emergency communications
21 systems that are sufficient to meet the needs of any emergency
22 shelter and response activities and that are increasingly needed at
23 fairgrounds throughout the state.

24 (2) Require each grant application to include assurances that all
25 local, regional, and state emergency and disaster response leads,
26 and local government, business, community, and agriculture
27 stakeholders, are included in any applicable local needs assessment
28 process and that local needs are prioritized.

29 (3) Require that the grant moneys are used to maximize critical
30 broadband access at all fairgrounds throughout the state, while
31 fostering new economic opportunities in neighboring communities.