

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3363</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Speaker McCall</b>
<b>Date:</b>	<b>3/21/2022</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The floor amendment for HB 3363 allows the executive director of the Oklahoma Broadband Office to initiate a contractual agreement with the Oklahoma State Regents for Higher Education in order for the Broadband Office to utilize the Regents' programs, personnel, and assets that are complementary or duplicative to the mission of the Broadband Office. If the two entities cannot reach a contractual agreement within 90 days, the executive director shall notify the Broadband Governing Board, the Speaker of the House, and the President Pro Tem of the Senate.

HB 3363 creates the Oklahoma Broadband Expansion Act, which establishes the Oklahoma Broadband Expansion Council, Broadband Governing Board, and Broadband Office until June 30, 2028. The measure also establishes a State Broadband Grant Program and Revolving Fund and repeals the [State Broadband Deployment Grant Program and Fund](#).

The nine-member board shall:

- Hire the executive director of the Oklahoma Broadband Office;
- Promulgate rules to implement provisions of the act and for the governance and operation of the office;
- Oversee the office budget; and
- Approve or disapprove all grants and incentive programs created by the office.

The measure converts the existing Rural Broadband Expansion Council to the Broadband Expansion Council and modifies its composition. The measure eliminates the Department of Commerce's role from broadband expansion and directs the council to advise the Oklahoma Broadband Office.

The measure directs the office to:

- Assess existing broadband capabilities, costs of obtaining services from existing providers, costs to improve access, and effectiveness of available public and private programs to enhance access;
- Maintain a mapping system that shows resources, coverage, and connection speeds, with anonymizing information specific to private providers;
- Establish procedures for data protests;
- Create and maintain a study of available grants, incentives, and programs that may improve physical access to broadband or adoption of broadband technology;
- Create the State Broadband Plan and update at least twice per year;
  - The plan will detail a pathway for 95% of the state's population to be adequately served by June 30, 2028.
- Create the Capital Projects Fund Grant Report, or provide the necessary information to a different state entity drafting the report, by September 24, 2022;
- Develop broadband grants or incentive guidelines for unserved or underserved areas by October 31, 2022;

- Create a grant program
- Request information from local governments, as needed;

The measure directs the executive director to:

- Recommend the transfer of duplicative or complementary assets, programs, or personnel within state government, with some exceptions, to the office;
- Correspond with OMES to request administrative assistance for the office;
- Oversee the Statewide Broadband Plan's creation, maintenance, and completion
- Communicate the progress of the plan;
- Oversee grant applications and incentives;
- Make recommendations for administrative rules for the office; and
- Submit an annual report to the Speaker of the House and the President Pro Tem of the Senate.

Prepared By: Tricia Hines

### **Fiscal Analysis**

As the measure is written, the Broadband Office will be funded from administrative fees allowed under some of the known grants, and therefore will not require additional State funding.

The floor amendment does not alter the fiscal impact of this measure.

Prepared By: Mariah Searock

### **Other Considerations**

None.