

Broadband Policy Bill House File 848

Last Action:

Final Action

April 6, 2021

An Act relating to broadband service, including matters under the purview of the office of the chief information officer, the empower rural Iowa broadband grant fund, and including effective date and applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis

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FUNDING SUMMARY

Expands the use of moneys in the Empower Rural Iowa Broadband Grant Fund to include for the Fiberoptic Network Conduit Installation Program established in Iowa Code section [8B.25](#). Page 4, Line 12

Changes the amount of moneys in the Empower Rural Iowa Broadband Grant Fund allowed to be used by the Office of the Chief Information Officer (OCIO) for expenses associated with the administration and operation of the Grant Program and the Fiberoptic Network Conduit Installation Program from 1.0% to 2.5% of the moneys in the Fund at the beginning of the fiscal year. Page 4, Line 20

STUDIES AND INTENT

Authorizes the OCIO to adopt emergency rules to implement the provisions of the Bill. Page 10, Line 10

SIGNIFICANT CODE CHANGES

Modifies the definition of "targeted service area" to replace the download and upload speed threshold identified by the Federal Communications Commission in the Federal Telecommunications Act of 1996 with a three-tiered system. Page 1, Line 10

Redefines "underserved area" to mean any portion of a targeted service area in which no communications service provider facilitates broadband service meeting the Tier 1 download and upload speeds. Page 2, Line 22

Establishes that the OCIO is not required to make renewed determinations of whether a communications service provider facilitates broadband service at or above the Tier 1, Tier 2, or Tier 3 download and upload speeds more frequently than once in a calendar year, as determined by reference to broadband availability maps. Page 2, Line 27

Requires that service providers awarded grants under the Program provide a minimum download speed of 100 megabits per second and a minimum upload speed of 100 megabits per second in targeted service areas. Page 3, Line 14

Eliminates certain provisions relating to the application review process for applications for grants under the Fund and requires the OCIO to devote 1.0 full-time equivalent (FTE) position to evaluate applications for grant awards under the Empower Rural Iowa Broadband Grant Fund. Page 5, Line 8

Modifies the criteria the OCIO is to consider when reviewing an application for a grant from the Fund and the weight the OCIO is to afford to certain considerations. Page 5, Line 35

Establishes that the amount of a grant awarded from the Fund is a percentage of the total project costs, and the percentage is determined by the broadband service that is available in the targeted service area. Page 7, Line 11

Authorizes the OCIO to award grants not exceeding 50.0% of the total project costs to service providers that facilitate broadband service providing minimum download speeds of 100 megabits per second and minimum upload speeds of 20 megabits per second in a targeted service area in which no communications service provider offers or facilitates broadband service that provides download and upload speeds less than or equal to the Tier 1 speeds. Page 8, Line 29

Requires at least 20.0% of the total grants awarded to be allocated to projects that will result in the installation of broadband infrastructure in difficult-to-serve targeted service areas within which no communications service provider offers speeds less than or equal to the Tier 1 speeds. Page 9, Line 18

Eliminates the provision that prohibits the OCIO from awarding grants from the Empower Rural Iowa Broadband Grant Fund on or after July 1, 2025. Page 9, Line 35

EFFECTIVE DATE

Specifies that this Bill takes effect upon enactment. Page 10, Line 29

1 1 Section 1. Section 8B.1, subsections 5, 13, and 14, Code
1 2 2021, are amended to read as follows:

1 3 5. "Facilitate" means a communication service provider's
1 4 ability to provide broadband service at or above the download
1 5 and upload speeds specified in the definition of targeted
1 6 service area in this section ~~or section 8B.11, subsection~~
1 7 ~~5, paragraph "a", if applicable, to a home, farm, school,~~
1 8 ~~or business within a commercially reasonable time and at a~~
1 9 ~~commercially reasonable price upon request by a consumer.~~

CODE: Makes a conforming change to the definition of "facilitate" to remove the reference to Iowa Code section [8B.11](#)(5)(a).

1 10 13. "Targeted service area" means any of the following:

1 11 a. A United States census bureau census block located in
1 12 this state, including any crop operation located within the
1 13 census block, or other geographic unit the office sets by
1 14 rule, within which no communications service provider offers
1 15 or facilitates broadband service at or above the tier 1, tier
1 16 ~~2, or tier 3 download and upload speeds identified by the~~
1 17 ~~federal communications commission pursuant to section 706 of~~
1 18 ~~the federal Telecommunications Act of 1996, as amended. As~~
1 19 ~~used in this subsection:~~

CODE: Modifies the definition of "targeted service area" to replace the download and upload speed threshold identified by the Federal Communications Commission in the Federal Telecommunications Act of 1996 with a three-tiered system:

- Tier 1: Maximum download speed of less than 25 megabits per second and a maximum upload speed of less than three megabits per second.
- Tier 2: Minimum download speed of greater than or equal to 25 megabits per second but less than 50 megabits per second.
- Tier 3: Minimum download speed of greater than or equal to 50 megabits per second but less than 80 megabits per second.

2 1 (1) "Tier 1" means a maximum download speed of less than
2 2 twenty-five megabits per second and a maximum upload speed of
2 3 less than three megabits per second.

2 4 (2) "Tier 2" means a minimum download speed of greater than
2 5 or equal to twenty-five megabits per second but less than fifty
2 6 megabits per second.

2 7 (3) "Tier 3" means a minimum download speed of greater than
2 8 or equal to fifty megabits per second but less than eighty
2 9 megabits per second.

2 10 b. Any geographic area, as the office sets by rule, that
2 11 is materially underserved by broadband service such that
2 12 ~~the download and upload speeds identified by the federal~~
2 13 ~~communications commission pursuant to section 706 of the~~
2 14 ~~federal Telecommunications Act of 1996, as amended, of the~~
2 15 ~~broadband service in the geographic area tier 1, tier 2,~~
2 16 ~~and tier 3 download and upload speeds are not meaningfully~~
2 17 ~~available. The office's power to determine the geographic~~
2 18 ~~area by rule under this paragraph includes the power to define~~
2 19 ~~and interpret standards as to whether a geographic area is~~
2 20 ~~materially underserved and broadband service is meaningfully~~

2 21 available.

2 22 14. "Underserved area" means any portion of a targeted
 2 23 service area within which no communications service provider
 2 24 facilitates broadband service meeting the tier 1 download and
 2 25 upload speeds specified in the definition of targeted service
 2 26 area in this section.

CODE: Redefines "underserved area" to mean any portion of a targeted service area in which no communications service provider facilitates broadband service meeting the Tier 1 download and upload speeds.

2 27 Sec. 2. Section 8B.10, subsection 1, Code 2021, is amended
 2 28 to read as follows:

2 29 1. The determination of whether a communications service
 2 30 provider facilitates broadband service meeting the tier
 2 31 1, tier 2, or tier 3 download and upload speeds specified
 2 32 in the definition of targeted service area in section 8B.1
 2 33 shall be determined or ascertained by reference to broadband
 2 34 availability maps or data sources that are identified by

CODE: Establishes that the Office of the Chief Information Officer (OCIO) is not required to make renewed determinations of whether a communications service provider facilitates broadband service at or above the Tier 1, Tier 2, or Tier 3 download and upload speeds more frequently than once in a calendar year, as determined by reference to broadband availability maps.

2 35 the office by rule. The office shall periodically make
 3 1 renewed determinations of whether a communications service
 3 2 provider facilitates broadband service at or above the tier
 3 3 1, tier 2, or tier 3 download and upload speeds specified
 3 4 in the definition of targeted service area in section 8B.1,
 3 5 which shall, to the extent updated maps and data sources are
 3 6 available at the time, include making such determinations prior
 3 7 to each round of grant applications solicited by the office
 3 8 pursuant to section 8B.11. The office is not required to make
 3 9 renewed determinations of whether a communications service
 3 10 provider facilitates broadband service at or above the tier
 3 11 1, tier 2, or tier 3 download and upload speeds specified in
 3 12 the definition of targeted service area in section 8B.1 more
 3 13 frequently than once in any calendar year.

3 14 Sec. 3. Section 8B.11, Code 2021, is amended to read as
 3 15 follows:

3 16 8B.11 EMPOWER RURAL IOWA — BROADBAND GRANTS — FUND.

3 17 1. The office shall administer a broadband grant program
 3 18 designed to reduce or eliminate unserved and underserved
 3 19 areas in the state, leveraging federal funds and public and
 3 20 private partnerships where possible, by awarding grants to
 3 21 communications service providers that reduce or eliminate
 3 22 targeted service areas by installing broadband infrastructure
 3 23 that facilitates broadband service in targeted service areas at
 3 24 or above the download and upload speeds specified in subsection

CODE: Requires that service providers awarded grants under the Program provide a minimum download speed of 100 megabits per second and a minimum upload speed of 100 megabits per second in targeted service areas. However, Iowa Code section 8B.11(6), as amended by this Bill, provides an exception to this requirement.

3 25 5, in accordance with this section in accordance with the
 3 26 following:
 3 27 a. The broadband infrastructure facilitates broadband
 3 28 service that provides a minimum download speed of one hundred
 3 29 megabits per second and a minimum upload speed of one hundred
 3 30 megabits per second in a targeted service area within which no
 3 31 communications service provider offers or facilitates broadband
 3 32 service that provides download and upload speeds less than or
 3 33 equal to the tier 1 download and upload speeds specified in the
 3 34 definition of targeted service area in section 8B.1.
 3 35 b. The broadband infrastructure facilitates broadband
 4 1 service that provides a minimum download speed of one hundred
 4 2 megabits per second and a minimum upload speed of one hundred
 4 3 megabits per second in a targeted service area within which no
 4 4 communications service provider offers or facilitates broadband
 4 5 service that provides any of the following:
 4 6 (1) Download speeds less than or equal to the tier 2
 4 7 download speed specified in the definition of targeted service
 4 8 area in section 8B.1.
 4 9 (2) Download speeds less than or equal to the tier 3
 4 10 download speed specified in the definition of targeted service
 4 11 area in section 8B.1.

4 12 2. a. An empower rural Iowa broadband grant fund is
 4 13 established in the state treasury under the authority of the
 4 14 office. The fund shall consist of moneys available to and
 4 15 obtained or accepted by the office. Moneys in the fund are
 4 16 appropriated to the office to be used for the grant program,
 4 17 including for broadband mapping and the administration and
 4 18 operation of the grant program, and for the fiberoptic network
 4 19 conduit installation program established in section 8B.25.

4 20 b. The office shall use moneys in the fund to provide
 4 21 grants to communications service providers pursuant to this
 4 22 section and to lead and coordinate the fiberoptic network
 4 23 conduit installation program pursuant to section 8B.25. The
 4 24 office may use not more than ~~one~~ two and one-half percent of
 4 25 the moneys in the fund at the beginning of the fiscal year to
 4 26 pay the costs and expenses associated with the administration
 4 27 and operation of the grant program and the fiberoptic network
 4 28 conduit installation program. The office shall use moneys in
 4 29 the fund to leverage available federal moneys if possible.

CODE: Expands the use of moneys in the Empower Rural Iowa Broadband Grant Fund to include the Fiberoptic Network Conduit Installation Program.

DETAIL: Iowa Code section [8B.25](#) provides that the OCIO must lead and coordinate a program to provide for the installation of fiberoptic network conduit where conduit does not exist, as established in 2015 Iowa Acts, chapter [120](#).

CODE: Changes the amount of moneys in the Empower Rural Iowa Broadband Grant Fund allowed to be used by the OCIO for expenses associated with the administration and operation of the Grant Program and the Fiberoptic Network Conduit Installation Program from 1.00% to 2.50% of the moneys in the Fund at the beginning of the fiscal year.

FISCAL IMPACT: The funding available to the OCIO at the beginning of FY 2022 is currently unknown. As an example, if an amount between \$50,000,000 to \$150,000,000 is available within the Empower Rural Iowa Broadband Grant Fund at the beginning of the

	fiscal year, the OCIO would be able to use between \$1,250,000 to \$3,750,000 of the funds for the administration and operation of the Grant Program and the Fiberoptic Network Conduit Installation Program. The OCIO estimates costs and expenses to include existing human resources, additional personnel, broadband map development, field validation, broadband cost analysis, and additional grant development/support.
<p>4 30 c. Notwithstanding section 8.33, moneys in the fund 4 31 that remain unencumbered or unobligated at the close of the 4 32 fiscal year shall not revert but shall remain available for 4 33 expenditure for the purposes designated until three years 4 34 following the last day of the fiscal year in which the funds 4 35 were originally appropriated.</p>	<p>CODE: Allows moneys in the Fund that remain unencumbered or unobligated at the close of the fiscal year to remain available in the Fund until three years following the last day of the fiscal year in which the funds were originally appropriated.</p>
<p>5 1 d. Notwithstanding paragraph "c" or any provision to the 5 2 contrary, moneys in the fund that have been awarded but not 5 3 paid to a communications service provider shall not revert 5 4 but shall remain available to the office for purposes of 5 5 administering the award in a manner consistent with the terms 5 6 and conditions of any corresponding contract or grant agreement 5 7 governing the administration of the award.</p>	<p>CODE: Allows moneys in the Fund that have been awarded but not paid to a service provider to remain available to the OCIO to administer the award.</p>
<p>5 8 3. Communications service providers may apply to the office 5 9 for a grant pursuant to this section for the installation of 5 10 broadband infrastructure that facilitates broadband service 5 11 in targeted service areas at or above the download and upload 5 12 speeds specified in subsection 5. The office shall include 5 13 representatives from schools, communities, agriculture, 5 14 industry, and other areas as appropriate to review and 5 15 recommend grant awards. The office shall conduct an open 5 16 application review process that includes the opportunity 5 17 for the public to submit factual information as part of a 5 18 validation process to address claims that a targeted service 5 19 area is currently served with broadband service at or above the 5 20 download and upload speeds specified in subsection 5. Upon 5 21 completion of the validation process, the office may modify 5 22 a proposed targeted service area to account for information 5 23 received during the validation process. The office shall make 5 24 available a public internet site identifying all publicly 5 25 available information contained in the applications, the 5 26 members of the review committee, a summary of the review</p>	<p>CODE: Eliminates certain provisions relating to the application review process for applications for grants under the Fund and requires the OCIO to devote 1.0 full-time equivalent (FTE) position to evaluate applications for grant awards under the Fund.</p>

5 27 ~~committee's recommended results; and any results of performance~~
 5 28 ~~testing conducted after the project is completed. The office~~
 5 29 ~~shall devote one full-time equivalent position to evaluate~~
 5 30 ~~applications submitted under this section and provide technical~~
 5 31 ~~assistance to communications service providers in completing~~
 5 32 ~~applications for federal funds, or any other funds from any~~
 5 33 ~~public or private sources, related to improving broadband~~
 5 34 ~~infrastructure.~~

5 35 4. a. The office shall award grants on a competitive
 6 1 basis for the installation of broadband infrastructure that
 6 2 facilitates broadband service as provided in subsection 3 in
 6 3 targeted service areas at or above the download and upload
 6 4 speeds specified in subsection 5; after considering the
 6 5 following:
 6 6 (1) The relative need for broadband infrastructure in the
 6 7 area and the existing broadband service speeds, including
 6 8 whether the project serves a rural area or areas.
 6 9 (2) The applicant's total proposed budget for the project,
 6 10 including all of the following:
 6 11 (a) The amount or percentage of local or federal matching
 6 12 funds, if any, and any funding obligations shared between
 6 13 public and private entities.
 6 14 (b) The percentage of funding provided directly from the
 6 15 applicant, including whether the applicant requested from the
 6 16 office an amount less than the maximum amount the office could
 6 17 award pursuant to subsection 5 and, if so, the percentage of
 6 18 the project cost that the applicant is requesting.
 6 19 (3) The relative download and upload speeds of proposed
 6 20 projects for all applicants.
 6 21 (4) The specific product attributes resulting from the
 6 22 proposed project, including technologies that provide higher
 6 23 qualities of service, such as service levels, latency, and
 6 24 other service attributes as determined by the office.
 6 25 (5) The percentage of the homes, farms, schools, and
 6 26 businesses in the targeted service area that will be provided
 6 27 access to broadband service.
 6 28 ~~(6) The geographic diversity of the project areas of all the~~
 6 29 ~~applicants.~~
 6 30 ~~(7) The economic impact of the project to the area.~~
 6 31 (6) The proportion of proposed projects that will result
 6 32 in the installation of broadband infrastructure in a targeted

CODE: Modifies the criteria the OCIO is to consider when reviewing an application for a grant from the Fund and the weight the OCIO is to afford to certain considerations.

6 33 service area within which the only broadband service available
 6 34 provides the tier 1 download and upload speeds specified in the
 6 35 definition of targeted service area in section 8B.1.

7 1 ~~(8)~~ (7) Other factors the office deems relevant.

7 2 b. In considering the factors listed in paragraph "a"
 7 3 for awarding grants pursuant to this section, the office
 7 4 shall afford the greatest weight to the factors described in
 7 5 paragraph "a", subparagraphs (1) through (3), and subparagraph
 7 6 (6).

7 7 c. Except as otherwise provided in this section, the office
 7 8 shall not evaluate applications based on the office's knowledge
 7 9 of the applicant except for information obtained by the office
 7 10 during the application process or period for public comment.

7 11 5. ~~The office shall not award a grant pursuant to this~~
 7 12 ~~section that exceeds thirty-five percent of the communications~~
 7 13 ~~service provider's project cost. The total amount of the~~
 7 14 ~~grants the office awards from the empower rural Iowa broadband~~
 7 15 ~~grant fund pursuant to this section shall be as follows not~~
 7 16 ~~exceed any of the following amounts:~~

7 17 a. ~~For Seventy-five percent of a communications service~~
 7 18 ~~provider's project costs for projects that will result in the~~
 7 19 ~~installation of broadband infrastructure that will facilitate~~
 7 20 ~~broadband service providing a minimum download speed less than~~
 7 21 ~~one hundred megabits per second but greater than or equal to~~
 7 22 ~~the download speed specified in the definition of targeted~~
 7 23 ~~service area in section 8B.1, and a minimum upload speed less~~
 7 24 ~~than twenty megabits per second but greater than or equal~~
 7 25 ~~to the upload speed specified in the definition of targeted~~
 7 26 ~~service area in section 8B.1, the total amount of the grants~~
 7 27 ~~the office awards shall not exceed fifty percent of the moneys~~
 7 28 ~~in the fund at the beginning of the fiscal year. However, if~~
 7 29 ~~the amount requested for projects that facilitate broadband~~
 7 30 ~~service at the speeds described in paragraph "b" for the fiscal~~
 7 31 ~~year is less than the amount reserved for projects under~~
 7 32 ~~paragraph "b", the office may award the difference to projects~~
 7 33 ~~under this paragraph for the same fiscal year in a targeted~~
 7 34 ~~service area within which no communications service provider~~
 7 35 ~~offers or facilitates broadband service that provides download~~
 8 1 ~~and upload speeds less than or equal to the tier 1 download and~~
 8 2 ~~upload speeds specified in the definition of targeted service~~
 8 3 ~~area in section 8B.1.~~

CODE: Establishes that the amount of a grant awarded from the Fund is a percentage of the total project costs, and the percentage is determined by the broadband service that is available in the targeted service area.

DETAIL: Modifies the amount of a grant that the OCIO may award from the Fund to the following amounts:

- 75.00% of a communications service provider's costs for projects in a targeted service area in which no communications service provider offers or facilitates broadband service that provides download and upload speeds less than or equal to Tier 1.
- 50.00% of a communications service provider's costs for projects in a targeted service area in which no communications service provider offers or facilitates broadband service that provides download and upload speeds less than or equal to Tier 2.
- 35.00% of a communications service provider's costs for projects in a targeted service area in which no communications service provider offers or facilitates broadband service that provides download and upload speeds less than or equal to Tier 3.

8 4 b. For Fifty percent of a communications service provider's
 8 5 project costs for projects that will result in the installation
 8 6 of broadband infrastructure that will facilitate broadband
 8 7 service providing a minimum download speed of one hundred
 8 8 megabits per second and a minimum upload speed of twenty
 8 9 megabits per second; the total amount of the grants the office
 8 10 awards shall not exceed fifty percent of the moneys in the fund
 8 11 at the beginning of the fiscal year. However, if the amount
 8 12 requested for projects that facilitate broadband service at
 8 13 the speeds described in paragraph "a" for the fiscal year is
 8 14 less than the amount reserved for projects under paragraph
 8 15 "a", the office may award the difference to projects under
 8 16 this paragraph for the same fiscal year in a targeted service
 8 17 area within which no communications service provider offers or
 8 18 facilitates broadband service that provides download and upload
 8 19 speeds less than or equal to the tier 2 download and upload
 8 20 speeds specified in the definition of targeted service area in
 8 21 section 8B.1.

8 22 c. Thirty-five percent of a communications service
 8 23 provider's project costs for projects that will result in the
 8 24 installation of broadband infrastructure in a targeted service
 8 25 area within which no communications service provider offers or
 8 26 facilitates broadband service that provides download speeds
 8 27 less than or equal to the tier 3 download speed specified in
 8 28 the definition of targeted service area in section 8B.1.

8 29 6. Notwithstanding subsections 3 and 5, communications
 8 30 service providers may apply to the office for a grant
 8 31 pursuant to this section for the installation of broadband
 8 32 infrastructure that facilitates broadband service providing a
 8 33 minimum download speed of one hundred megabits per second and a
 8 34 minimum upload speed of twenty megabits per second in targeted
 8 35 service areas pursuant to this subsection. The office shall
 9 1 make available a public internet site identifying all publicly
 9 2 available information contained in the applications and any
 9 3 results of performance testing conducted after the project is
 9 4 completed.

9 5 a. The office shall award grants under this subsection on
 9 6 a competitive basis after considering the factors provided in
 9 7 subsection 4 and affording weight to the factors pursuant to
 9 8 subsection 4, paragraph "b".

9 9 b. The total amount of the grants the office shall award

CODE: Authorizes the OCIO to award grants not exceeding 50.00% of the total project costs to service providers that facilitate broadband service providing minimum download speeds of 100 megabits per second and minimum upload speeds of 20 megabits per second in a targeted service area in which no communications service provider offers or facilitates broadband service that provides download and upload speeds less than or equal to the Tier 1 speeds.

9 10 pursuant to this subsection shall not exceed fifty percent
 9 11 of a communications service provider's project costs for
 9 12 projects that will result in the installation of broadband
 9 13 infrastructure in a targeted service area within which no
 9 14 communications service provider offers or facilitates broadband
 9 15 service that provides download and upload speeds less than or
 9 16 equal to the tier 1 download and upload speeds specified in the
 9 17 definition of targeted service area in section 8B.1.

9 18 7. Notwithstanding subsections 5 and 6, at least twenty
 9 19 percent of the total amount of the grants the office awards
 9 20 from the empower rural Iowa broadband grant fund pursuant to
 9 21 this section shall be allocated to projects that will result
 9 22 in the installation of broadband infrastructure in difficult
 9 23 to serve targeted service areas within which no communications
 9 24 service provider offers or facilitates broadband service that
 9 25 provides download and upload speeds less than or equal to the
 9 26 tier 1 download and upload speeds specified in the definition
 9 27 of targeted service area in section 8B.1. For purposes of this
 9 28 subsection, a targeted service area is difficult to serve if
 9 29 the soil conditions, topography, or other local conditions make
 9 30 the installation of broadband infrastructure in the targeted
 9 31 service area more time-consuming or labor-intensive compared to
 9 32 other areas of the state.

9 33 ~~6. 8.~~ The office shall provide public notice regarding the
 9 34 application process and receipt of funding.

9 35 ~~7.~~ The office shall not award a grant pursuant to this
 10 1 ~~section on or after July 1, 2025.~~

10 2 ~~8. 9.~~ The office may adopt rules pursuant to chapter 17A
 10 3 interpreting this chapter or necessary for administering this
 10 4 chapter, including but not limited to rules relating to the
 10 5 broadband grant program process, management, and measurements
 10 6 as deemed necessary by the office.

10 7 ~~9. 10.~~ The office shall adopt rules establishing procedures
 10 8 to allow aggrieved applicants an opportunity to challenge the
 10 9 office's award of grants under this section.

CODE: Requires at least 20.00% of the total grants awarded to be allocated to projects that will result in the installation of broadband infrastructure in difficult-to-serve targeted service areas within which no communications service provider offers speeds less than or equal to the Tier 1 speeds.

CODE: Eliminates the provision that prohibits the OCIO from awarding grants from the Empower Rural Iowa Broadband Grant Fund on or after July 1, 2025.

CODE: Allows the OCIO to adopt rules relating to the Broadband Grant Program process, management, and measurements.

CODE: Requires the OCIO to adopt rules establishing procedures to allow aggrieved applicants an opportunity to challenge the Office's award of grants.

10 10	Sec. 4. EMERGENCY RULES. The office of the chief	Authorizes the OCIO to adopt emergency rules to implement the provisions of the Bill.
10 11	information officer may adopt emergency rules under section	
10 12	17A.4, subsection 3, and section 17A.5, subsection 2, paragraph	
10 13	"b", to implement the provisions of this Act and the rules	
10 14	shall be effective immediately upon filing unless a later	
10 15	date is specified in the rules, unless the effective date of	
10 16	the rules is delayed or the applicability of the rules is	
10 17	suspended by the administrative rules review committee. Any	
10 18	rules adopted in accordance with this section shall not take	
10 19	effect before the rules are reviewed by the administrative	
10 20	rules review committee. The delay authority provided to	
10 21	the administrative rules review committee under section	
10 22	17A.4, subsection 7, and section 17A.8, subsection 9,	
10 23	shall be applicable to a delay imposed under this section,	
10 24	notwithstanding a provision in those sections making them	
10 25	inapplicable to section 17A.5, subsection 2, paragraph "b".	
10 26	Any rules adopted in accordance with the provisions of this	
10 27	section shall also be published as a notice of intended action	
10 28	as provided in section 17A.4.	
10 29	Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate	Specifies that this Bill takes effect upon enactment.
10 30	importance, takes effect upon enactment.	
11 1	Sec. 6. APPLICABILITY. This Act applies to applications	Specifies that this Bill applies to grants submitted on or after the effective date of this Bill.
11 2	for grants submitted pursuant to section 8B.11 on or after the	
11 3	effective date of this Act.	