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HOUSE BILL NO. 1226

Offered January 16, 2002

A BILL to amend and reenact § 2.2-225 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 20, consisting of sections numbered 2.2-2000 and 2.2-2001, relating to the creation of the Office of Broadband Deployment.

Patrons—Scott, Almand, Amundson, Hull, Petersen, Plum and Watts; Senators: Byrne, Puller, Ticer, Wampler and Whipple

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-225 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 20, consisting of sections numbered 2.2-2000 and 2.2-2001, as follows:

§ 2.2-225. Position established; agencies for which responsible; additional powers.

The position of Secretary of Technology (the "Secretary") is created. The Secretary shall be responsible to the Governor for the following agencies and boards: Department of Information Technology, Department of Technology Planning, Innovative Technology Authority, Virginia Information Providers Network Authority, Virginia Geographic Information Network Advisory Board, and the Wireless E-911 Services Board, *and the Office of Broadband Deployment*. The Governor, by executive order, may assign any other state executive agency to the Secretary, or reassign any agency listed in this section to another Secretary.

Unless the Governor expressly reserves such power to himself, the Secretary may, with regard to strategy development, planning and budgeting for technology programs in the Commonwealth:

1. Monitor trends and advances in fundamental technologies of interest and importance to the economy of the Commonwealth and direct and approve a stakeholder-driven technology strategy development process that results in a comprehensive and coordinated view of research and development goals for industry, academia and government in the Commonwealth. This strategy shall be updated biennially and submitted to the Governor, the Speaker of the House of Delegates and the President Pro Tempore of the Senate.

2. Work closely with the appropriate federal research and development agencies and program managers to maximize the participation of Commonwealth industries and universities in these programs consistent with agreed strategy goals.

3. Direct the development of plans and programs for strengthening the technology resources of the Commonwealth's high technology industry sectors and for assisting in the strengthening and development of the Commonwealth's Regional Technology Councils.

4. Direct the development of plans and programs for improving access to capital for technology-based entrepreneurs.

CHAPTER 20.**OFFICE OF BROADBAND DEPLOYMENT.**

§ 2.2-2000. *Creation of Office; appointment of Director.*

A. *There is created an Office of Broadband Deployment (the "Office"), which shall be headed by a Director appointed by the Governor to serve at his pleasure.*

B. *The Director of the Office shall, under the direction and control of the Governor, exercise the powers and perform the duties conferred or imposed upon him by law and perform such other duties as may be required by the Governor.*

§ 2.2-2001. *Additional powers of Office.*

The Office shall have the following additional powers that, with the approval of the Director, may be exercised by a division of the Office with respect to matters assigned to that division:

1. *Coordinate all efforts of public and quasi-public bodies within the Commonwealth to enhance or facilitate the prompt availability of and access to the Internet through broadband telecommunications services throughout the Commonwealth.*

2. *Evaluate the present state and need for new infrastructure throughout the Commonwealth to fill strategic gaps in present commercial networks and coordinate plans to fill the gaps.*

3. *Monitor trends and advances in broadband telecommunications technology and plan and forecast future needs for such technology.*

4. *Set bandwidth goals and a timetable for achieving the goals.*

5. *Encourage private development in and facilitate the extension of advanced networks to provide all*

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58 *of the Commonwealth's citizens and businesses with affordable, high-bandwidth connections.*

59 *6. Identify funding for new infrastructure.*

60 *7. Apply for, accept, and expend gifts, grants, or donations from public, quasi-public or private*
61 *sources and state funds that may be appropriated by the General Assembly to carry out its purpose.*

62 *8. Report to the Governor, the General Assembly, and the Joint Commission on Technology and*
63 *Science created pursuant to § 30-85. The report shall include, at a minimum, the availability and*
64 *deployment of broadband telecommunications services, the funds available for such services and the*
65 *status of projects undertaken by the Office.*