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SENATE BILL NO. 1225

Offered January 13, 2021

Prefiled January 11, 2021

A BILL to amend the Code of Virginia by adding in Article 5 of Chapter 9 of Title 15.2 a section numbered 15.2-986 and by adding a section numbered 22.1-79.9, relating to promotion of broadband service for educational purposes.

Patrons—Boysko, Hashmi, Lewis, Chase, Howell, Marsden, Mason, McPike and Morrissey; Delegates: Carr and Gooditis

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 9 of Title 15.2 a section numbered 15.2-986 and by adding a section numbered 22.1-79.9 as follows:

§ 15.2-986. Broadband services; education.

Any locality or other public body of the Commonwealth may appropriate public funds, personal property, real estate, or donations to any local school board, school division, public school, charitable institution or association, or private provider of broadband services for the purposes of promoting, facilitating, and encouraging the development, expansion, provision, and operation of broadband services for educational purposes, as described in § 22.1-79.9, and may promote, encourage, support, and take any action that a local school board is authorized to take under that section.

§ 22.1-79.9. Promotion of broadband services for educational purposes.

A. As used in this section:

"Affordability program" means a program or package of broadband services which may include educational programming or access to educational content, offered by a private broadband service provider to school-age children and their families at a lower price, or with specialized services, compared to the broadband services offered by the private broadband service provider to the general public.

"Child nutrition program" means any school meal program funded and regulated by the U.S. Department of Agriculture, including the National School Lunch Program, School Breakfast Program, National School Lunch Program Afterschool Snack Service, Child and Adult Care Food Program, Summer Food Service Program, and Special Milk Program.

"Sponsored program" means a financial program to provide lower-cost or free broadband services, or a specialized offering of broadband services, for educational purposes to the home of a student when the student would qualify for (i) a child nutrition program or (ii) any other program recognized or adopted by the local school board as a measuring standard to identify at-risk students.

B. Any school board may:

1. Promote and publicize the availability of private broadband services for educational purposes to parents and students, including the availability of any affordability programs or sponsored programs;

2. Provide promotional or informational materials for private broadband services to parents, students, and potential sponsors including brochures, flyers, and cable, internet, broadband, or other public service announcements, in any media, regarding locally available private broadband service offerings, including the availability of any affordability programs or sponsored programs, to encourage student use of broadband services for educational purposes;

3. Accept compensation, or in-kind donations of materials and services, from any private broadband service provider to reimburse the school board or other public body for its actual costs incurred in providing the materials described in subsection B 2;

4. Enter into agreements with local businesses, charitable groups, or private broadband service providers to promote sponsored programs to provide reduced cost or free broadband services for educational purposes to households of qualifying students. Under such agreements, the school board may award grants or subsidies to private broadband service providers to reduce or eliminate the cost of sponsored program broadband services provided to qualifying student households; and

5. Utilize any federal, state, or local funds that are not otherwise restricted to pay grants or subsidies to support sponsored programs, including any federal funds that may be available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-36, Coronavirus Response and Relief Supplemental Appropriations Act of 2021, or similar legislation.

INTRODUCED

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