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**HOUSE BILL NO. 1583**

Offered January 19, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-205.2, relating to the Commonwealth Broadband Chief Advisor.*

Patrons—Byron, Gooditis, Keam, Ransone, Reid and Rush

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 a section numbered 2.2-205.2 as follows:**

**§ 2.2-205.2. Commonwealth Broadband Chief Advisor.**

A. The position of Commonwealth Broadband Chief Advisor (Chief Advisor) is hereby established within the office of the Secretary of Commerce and Trade. The purpose of the Chief Advisor is to serve as Virginia's single point of contact and integration for broadband issues, efforts, and initiatives and to increase the availability and affordability of broadband throughout all regions of the Commonwealth.

B. There shall be a Commonwealth Broadband Advisory Board (the Advisory Board) consisting of 15 members for the purpose of providing direction for the Chief Advisor and policy guidance to the General Assembly and the Commonwealth's localities. The Advisory Board shall consist of six legislative members, seven nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: two members of the Senate, to be appointed by the Senate Committee on Rules; four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one nonlegislative citizen member representing counties to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Virginia Association of Counties, if any; one nonlegislative citizen member representing cities to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of the Virginia Municipal League, if any; and five nonlegislative citizen members to be appointed by the Governor, subject to confirmation by the General Assembly, that shall include representatives of the Center for Rural Virginia, the Virginia Cable Telecommunications Association, and the Virginia Wireless Internet Service Providers Association, a representative of an emerging technology, and a telecommunications engineer. The Secretary of Administration or his designee and the Secretary of Commerce and Trade or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the Advisory Board shall be citizens of the Commonwealth.

The Advisory Board shall elect a chairman and vice-chairman annually from among its membership. A majority of the members shall constitute a quorum.

Legislative members and ex officio members of the Advisory Board shall serve terms coincident with their terms of office. Nonlegislative members shall serve terms of two years.

Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

Legislative members of the Advisory Board shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for compensation and expenses of legislative members shall be provided by the operating budgets of the Clerk of the House of Delegates and the Clerk of the Senate upon approval of the Joint Rules Committee. Funding for the costs of expenses of the nonlegislative citizen members and all other expenses of the Council shall be provided by the Office of the Secretary of Commerce and Trade.

C. The Chief Advisor shall:

1. As a single point of contact, integrate activities among different federal and Virginia agencies and departments, localities, and Internet service providers;

2. Provide continual research into public grants and loans, in addition to private and nonprofit funding opportunities, available to provide incentives and help defray the costs of broadband infrastructure buildouts;

3. Maintain broadband maps, the Integrated Broadband Planning and Analysis Toolbox, and other data to help decision makers understand where broadband needs exist and help develop strategies to address these needs;

4. Analyze broadband legislative and policy activities to track what other nations, states, and

59 localities are doing. The Chief Advisor shall apply these best practices to address Virginia's unique  
60 broadband needs, create efficiencies, target funding, and streamline operations;

61 5. Research and evaluate emerging technologies to determine the most effective applications for these  
62 technologies and their benefits to the Commonwealth;

63 6. As a single point of contact, through the Advisory Board, coordinate with different Virginia  
64 agencies and departments to target funding activities for the purpose of ensuring that Commonwealth  
65 funds are spent effectively to increase economic and social opportunities through widespread and  
66 affordable broadband deployment;

67 7. As a single point of contact, coordinate with different Virginia agencies and departments to vet  
68 funding proposals for Virginia grants and loans for the purpose of ensuring that Commonwealth funds  
69 are spent effectively on projects most likely to result in a solid return on investment for broadband  
70 deployment throughout Virginia;

71 8. In cooperation with the Virginia Growth and Opportunity Board established pursuant to  
72 § 2.2-2485, serve as a central coordinating position and repository for broadband projects and grants  
73 related to the mission herein; and

74 9. Submit to the Governor and the General Assembly an annual report for publication as a report  
75 document as provided in the procedures of the Division of Legislative Automated Systems for the  
76 processing of legislative documents and reports. The chairman of the Advisory Board shall submit to the  
77 Governor and the General Assembly an annual executive summary of the interim activity and work of  
78 the Chief Advisor and the Advisory Board no later than the first day of each regular session of the  
79 General Assembly. The executive summary shall be submitted for publication as a report document as  
80 provided in the procedures of the Division of Legislative Automated Systems for the processing of  
81 legislative documents and reports and shall be posted on the General Assembly's website.

82 D. The Chief Advisor shall be appointed by the Secretary of Commerce and Trade. Staff for the  
83 Chief Advisor shall be provided by the CIT and the Department of Housing and Community  
84 Development. All agencies of the Commonwealth shall provide assistance to the Chief Advisor, upon  
85 request.