

# 2021 SPECIAL SESSION I

## HOUSE SUBSTITUTE

21200205D

### SENATE BILL NO. 1462

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Communications, Technology and Innovation  
on February 15, 2021)

(Patron Prior to Substitute—Senator Mason)

A *BILL to amend the Code of Virginia by adding in Chapter 8 of Title 63.2 a section numbered 63.2-806, relating to Virginia Digital Equity Pilot Program and Fund; report.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 8 of Title 63.2 a section numbered 63.2-806 as follows:**

**§ 63.2-806. Virginia Digital Equity Pilot Program; report.**

A. *The General Assembly declares that it is the policy of the Commonwealth to ensure that every Virginian has reliable and affordable access to broadband. To this end, the Virginia Digital Equity Pilot Program (the Program) is hereby created to provide a fixed reimbursement, which shall not exceed \$15 monthly, for broadband service costs for select households currently participating in the Supplemental Nutrition Assistance Program. Reimbursement payments under the Program shall be made by the Department by direct payment to a broadband provider selected by the qualifying program participant household, provided that the selected broadband provider offers a low-cost broadband service for low-income households within its service area in the Commonwealth, to which the payment will be applied. The total amount of the Program shall not exceed \$5 million annually. The Department is designated as the state agency responsible for administering the Program.*

B. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Digital Equity Pilot Program Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for the Program shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it through the end of the Program. Any moneys remaining in the Fund after July 1, 2024, including interest thereon, shall revert to the general fund. Moneys in the Fund shall be used solely for the purposes set forth in this section. Up to 10 percent of moneys in the Fund may be used to pay the expenses of the Department in administering the Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner.*

C. *In administering the Program, it shall be the responsibility of the Department to:*

1. *Establish program guidelines in coordination with the Commonwealth Broadband Chief Advisor to govern eligibility for participation in the Program and disbursement of Program funds;*

2. *Administer disbursements from the Fund to qualifying broadband providers selected by Program participants pursuant to subsection A;*

3. *Annually verify the broadband service plans of Program participants and assist Program participants in the selection of broadband service offerings, review of current broadband service, and utilization of existing low-cost programs from both private broadband providers and federal assistance programs;*

4. *Lead and facilitate meetings with the Department of Housing and Community Development, the Commonwealth Broadband Chief Advisor, and designated private sector broadband stakeholders for the purpose of sharing information directed at alleviating the financial burden of broadband for Program participants and improving the effectiveness of the Program;*

5. *Collect and analyze data from Program participant households regarding the usage of broadband and analyze the economic impact of reducing broadband costs on low-income families; and*

6. *Report to the Governor and the General Assembly before October 1, 2024, on the results and effectiveness of the Program in meeting the broadband needs of low-income Virginians.*

D. *As used in this section, "broadband" means Internet access at speeds equal to or greater than the broadband Internet speed benchmark set by the Federal Communications Commission.*

**2. That the provisions of this act shall expire on July 1, 2024.**

**3. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2021 by the General Assembly that becomes law.**

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