

## HOUSE BILL NO. HB0067

Connect Wyoming program-funding and amendments.

Sponsored by: Select Committee on Blockchain, Financial  
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to the emergency expenses of government  
2 related to broadband development and internet access;  
3 appropriating federal funds for the Connect Wyoming program  
4 for broadband development in Wyoming; specifying  
5 limitations on the types of projects funded with  
6 appropriated federal funds through the Connect Wyoming  
7 program; providing rulemaking authority; and providing for  
8 an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.**

13

14 (a) As used in this section:

15

1           (i) "American Rescue Plan Act funds" means funds  
2 appropriated or disbursed to the state of Wyoming through  
3 the Coronavirus State Fiscal Recovery Fund established  
4 under section 602 of title VI of the federal Social  
5 Security Act and the Coronavirus Capital Projects Fund  
6 established under section 604 of title VI of the federal  
7 Social Security Act, as created by section 9901 of the  
8 American Rescue Plan Act of 2021, Pub. L. No. 117-2;

9

10           (ii) "Connect Wyoming" means the program created  
11 and administered by the council and the office of the  
12 governor that used available funds from the Coronavirus  
13 Aid, Relief, and Economic Security Act, Pub. L. No. 116-  
14 136, for use as matching funds for federal grants available  
15 pursuant to section 60102 of the federal Infrastructure  
16 Investment and Jobs Act, Pub. L. No. 117-58, and for  
17 broadband development projects in Wyoming necessary to  
18 respond to the COVID-19 public health emergency by bringing  
19 faster and more reliable broadband internet service to  
20 Wyoming;

21

22           (iii) "Council" means the Wyoming business  
23 council;

1

2 (iv) "Low latency" means latency that is  
3 sufficiently low to allow multiple, simultaneous, real-time  
4 interactive applications;

5

6 (v) "Underserved area" means a project area  
7 without access to broadband service offered with a download  
8 speed of at least one hundred (100) megabits per second and  
9 an upload speed of at least twenty (20) megabits per second  
10 with low latency;

11

12 (vi) "Unserved area" means a project area  
13 without access to broadband service or to services  
14 operating with a download speed of at least twenty-five  
15 (25) megabits per second and upload speed of at least three  
16 (3) megabits per second with low latency.

17

18 (b) There is appropriated to the council one hundred  
19 fifty million dollars (\$150,000,000.00) from any unexpended  
20 or unobligated American Rescue Plan Act funds that were  
21 appropriated in 2021 Wyoming Session Laws, Chapter 166,  
22 Section 5(b). This appropriation shall be used only for use  
23 as matching funds for federal grants available pursuant to

1 section 60102 of the federal Infrastructure Investment and  
2 Jobs Act, Pub. L. No. 117-58, and for broadband internet  
3 development projects through the Connect Wyoming program  
4 and consistent with the terms of the American Rescue Plan  
5 Act. This appropriation shall not be transferred or  
6 expended for any other purpose. Any unobligated, unexpended  
7 funds remaining from this appropriation upon the expiration  
8 of the later of the relevant federal law, related federal  
9 legislation, reallocation by the secretary of the United  
10 States department of treasury, or any extension granted by  
11 the United States department of treasury shall be deposited  
12 to the general fund unless otherwise provided by law.

13

14 (c) In the event there are insufficient funds to  
15 accomplish the purposes of the appropriation in this  
16 section, the appropriation in this section shall supersede  
17 and take priority over any appropriation or reappropriation  
18 of American Rescue Plan Act funds in any law enacted during  
19 the 2021 legislative general session.

20

21 (d) Projects funded through the Connect Wyoming  
22 program using funds appropriated in subsection (b) of this  
23 section shall be located in underserved areas or unserved

1 areas in Wyoming and shall be limited to terrestrial  
2 projects.

3

4 (e) No expenditure of funds shall be made under this  
5 section except in accordance with state and federal laws,  
6 regulations and orders. The governor, in consultation with  
7 the council, shall by rule adopt provisions to ensure that  
8 adequate consideration is provided to the state for the  
9 expenditure of public funds on projects authorized under  
10 this act. Notwithstanding the definitions of "unserved  
11 area" and "underserved area" in this section, the governor  
12 may adopt rules to define "unserved area" and "underserved  
13 area," including alterations to the speed thresholds in  
14 those definitions in this section, in order to be  
15 consistent with and maximize the utilization of American  
16 Rescue Plan Act funds appropriated in this act. Any  
17 recipient of funds under this section shall comply with the  
18 provisions of 2021 Wyoming Session Laws, Chapter 166,  
19 Section 5(d) and (e).

20

21 (f) No new projects shall be funded through Connect  
22 Wyoming with funds appropriated in subsection (b) of this  
23 section after the later of December 31, 2024 or any other

1 deadline set in relevant federal law, related federal  
2 legislation or any extension granted by the United States  
3 department of treasury.

4

5 (g) Projects funded with funds appropriated under  
6 subsection (b) of this section shall be designed to, upon  
7 completion:

8

9 (i) Reliably meet or exceed symmetrical one  
10 hundred (100) megabits per second download speed and upload  
11 speeds; or

12

13 (ii) In cases where it is not practicable,  
14 because of the excessive cost of the project or geography  
15 or topography of the area to be served by the project, to  
16 provide service that:

17

18 (A) Reliably meets or exceeds one hundred  
19 (100) megabits per second download speed and between at  
20 least twenty (20) megabits per second and one hundred (100)  
21 megabits per second upload speed; and

22

