

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 197  
PROPOSED COMMITTEE SUBSTITUTE H197-PCS40464-BG-14

Short Title: Broadband Changes/DIT.-AB

(Public)

Sponsors:

Referred to:

February 27, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS REGARDING BROADBAND  
3 DEPLOYMENT AND THE DEPARTMENT OF INFORMATION TECHNOLOGY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 38.5 of S.L. 2021-180, as amended by Section 10.1 of S.L.  
6 2021-189 and Section 16.1(b) of S.L. 2022-6, reads as rewritten:

7 "**SECTION 38.5.** The Department of Information Technology shall use the funds  
8 appropriated in this act for Stopgap Solutions–Federal Broadband Funds to provide grants to  
9 internet service providers, local government entities, and nonprofits for the provision and  
10 installation of infrastructure, as that term is defined in G.S. 143B-1373(a), that will expand the  
11 provision of broadband service to unserved and underserved ~~households~~households, businesses,  
12 State facilities, and community anchor institutions in this State. The Department shall ensure that  
13 grant funds are awarded and utilized in compliance with applicable federal guidelines. No more  
14 than five percent (5%) of the funds described in this section may be granted for broadband  
15 projects located in any single county."

16 **SECTION 2.** Section 38.4(b) of S.L. 2021-180, as amended by Section 6(a) of S.L.  
17 2022-69, reads as rewritten:

18 "**SECTION 38.4.(b)** The Department of Information Technology shall incorporate the intent  
19 of the General Assembly as described in subsection (a) of this section in any proposal or  
20 application for funding under the federal Infrastructure Investment and Jobs Act (P.L. 117-58)  
21 for grants in the Broadband Equity, Access, and Deployment Program (B.E.A.D.) and the  
22 Enabling Middle Mile Broadband Infrastructure Program. Of the initial federal B.E.A.D. funds  
23 received under the federal Infrastructure Investment and Jobs Act (P.L. 117-58) for broadband  
24 programs, the Department of Information Technology may utilize (i) up to three percent (3%) of  
25 initial B.E.A.D. grant funds for planning ~~purposes and purposes,~~ (ii) up to two percent (2%) of  
26 initial B.E.A.D. grant funds for administrative purposes, and (iii) any Digital Equity planning  
27 funds, and these funds are hereby appropriated for those purposes. All other funds received under  
28 the federal Infrastructure Investment and Jobs Act shall remain unexpended until appropriated  
29 by an act of the General Assembly."

30 **SECTION 3.** This act is effective when it becomes law.



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