

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

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**HOUSE BILL 197  
Committee Substitute Favorable 4/27/23**

Short Title: Broadband Changes/DIT.-AB

(Public)

Sponsors:

Referred to:

February 27, 2023

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS REGARDING BROADBAND DEPLOYMENT AND THE DEPARTMENT OF INFORMATION TECHNOLOGY.

The General Assembly of North Carolina enacts:

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

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

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

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

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



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