
A BILL FOR AN ACT

RELATING TO BROADBAND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 201, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§201- Broadband special fund. (a) There is
5 established in the state treasury the broadband special fund
6 into which shall be deposited:

7 (1) Moneys deposited pursuant to Act , Session Laws of
8 Hawaii 2012;

9 (2) Appropriations from the legislature;

10 (3) All accrued interest from the fund; and

11 (4) Contributions, grants, endowments, or gifts in cash
12 received by the fund.

13 (b) Moneys in the broadband special fund shall be expended
14 by the department of business, economic development, and tourism
15 for the purpose of supporting an initiative to provide:

16 (1) Broadband access to public schools; and

17 (2) The means necessary for technology-based learning in
18 public schools, including but not limited to the



1 provision of laptop computers to public school
2 students.

3 (c) The broadband special fund may receive contributions,
4 grants, endowments, or gifts in cash or otherwise from all
5 sources including corporations or other businesses, foundations,
6 government, individuals, and other interested parties.
7 Notwithstanding any provision of law to the contrary, as a
8 condition of a gift to the broadband special fund, a donor may
9 specify a particular county in which the donor's gift shall be
10 used or expended for the purposes listed in subsection (b).

11 (d) The State may appropriate moneys to the special fund,
12 provided that any appropriations made by the State are not
13 intended to supplant the funding of any existing public school
14 program.

15 (e) All unexpended and unencumbered moneys remaining on
16 balance with the broadband special fund on June 30, 2017, shall
17 lapse to the credit of the state general fund."

18 SECTION 2. (a) Notwithstanding any law to the contrary,
19 beginning January 1, 2013, and in each year thereafter, all
20 recipients of moneys appropriated from fees collected pursuant
21 to chapter 440G, Hawaii Revised Statutes, shall receive no more
22 in annual appropriations than the lesser of:



1 (1) The amount that the recipient received in 2011 that
2 was calculated based upon revenue generated by a cable
3 operator in 2010; or

4 (2) The amount that the recipient would otherwise be
5 calculated to receive in that current year based upon
6 revenue generated by a cable operator in the previous
7 year.

8 (b) Notwithstanding sections 26-9(o) and 440G-15, Hawaii
9 Revised Statutes, and any other law to the contrary, the
10 director of commerce and consumer affairs shall deposit the
11 difference between the amounts calculated each year pursuant to
12 paragraphs (1) and (2) of subsection (a) into the broadband
13 special fund established pursuant to section 201- , Hawaii
14 Revised Statutes.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2012, and
17 shall be repealed on June 30, 2017.

18

INTRODUCED BY:

Calvin K. Y. Ng
JAN 25 2012



H.B. NO. 2874

Report Title:

Broadband; Cable Television Systems; Special Fund

Description:

Creates broadband special fund to support funding public school broadband and laptop initiatives. Beginning 01/01/13, freezes appropriations of moneys derived from cable fees at the lesser of the 2011 appropriation or the amount that a recipient would otherwise receive in the current year. Requires excess moneys to be deposited into the broadband special fund. Effective 07/01/12 and repealed 06/30/17.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

