

1 AN ACT relating to the American Rescue Plan Act of 2021, making an
2 appropriation therefor, and declaring an emergency.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔Section 1. 2021 Ky. Acts ch. 171, sec. 3, is amended to read as follows:

5 (1) There is hereby appropriated *Federal Funds from the Coronavirus Capital*
6 *Projects Fund of the American Rescue Plan Act of 2021*~~[federal funds]~~ in the amount of
7 *\$127,000,000 and Federal Funds from the State Fiscal Recovery Fund of the*
8 *American Rescue Plan Act of 2021 in the amount of \$123,000,000*~~[\$250,000,000]~~ in
9 fiscal year 2021-2022 to the broadband deployment fund, with no more than \$50,000,000
10 of which to be awarded before *May*~~[April]~~ 1, 2022.

11 (2) The agency administering the broadband deployment fund shall promulgate
12 administrative regulations to ensure that:

13 (a) The moneys are awarded based on the following criteria in the order as listed:

14 1. Projects in underserved areas or unserved areas where local, state, or federal
15 funds are not currently available;

16 2. Projects within underserved areas or unserved areas where local, state, or
17 federal broadband funds are inadequate; and

18 3. Projects that reach the customers that are the least economical to serve;

19 (b) A request for proposal shall be issued for projects;

20 (c) Projects will require:

21 1. A private match of moneys of not less than 50 percent of the total project cost;

22 or

23 2. Matching funds from a city, county, urban county government, or consolidated
24 local government of not less than 50 percent of the total project cost; and

25 (d) Project scope should be for the smallest feasible geographical area.

26 (3) The agency may provide incentive for timely completion and disincentive for
27 not meeting agreed upon timeframes.

- 1 ➔Section 2. The following is repealed: 2021 Ky. Acts ch. 194, sec. 17
- 2 ➔Section 3. Whereas Internet access is critical for families across the
- 3 Commonwealth to stay informed and connected, an emergency is declared to exist, and
- 4 this Act takes effect upon its passage and approval by the Governor or upon its otherwise
- 5 becoming law.