

2009 -- H 5020

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- ELECTRONIC
TELECOMMUNICATION OPEN INFRASTRUCTURE ACT

Introduced By: Representatives A Rice, Segal, Handy, Ajello, and Gallison

Date Introduced: January 08, 2009

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 64.13

4 ELECTRONIC TELECOMMUNICATION OPEN INFRASTRUCTURE ACT

5 **42-64.13-1. Short title.** -- This chapter shall be known as the "Electronic
6 Telecommunication Open Infrastructure Act" or "ETOPIA."

7 **42-64.13-2. Findings and purpose.** -- The general assembly finds that:

8 (1) The internet revolution is driving today's economy;

9 (2) Information technology offers economic opportunities, higher living standards, more
10 individual choices, and increased opportunities to participate in government and public life;

11 (3) The past decade has brought considerable advancement in worldwide
12 telecommunications. To remain competitive in the information-based global economy, the state,
13 its people, and its institutions must fully utilize cutting-edge telecommunication and internet
14 strategies;

15 (4) Broadband internet access is essential to provide state residents with enhanced
16 educational opportunities, better health care, more effective public safety and homeland security,
17 and a stronger economy; and

18 (5) This law is enacted to support and improve education, health care, public safety and

1 economic security by increasing access to the internet and other new technologies.

2 **42-64.13-3. Definitions.** – As used in this chapter:

3 (1) "Information equipment" means central processing units, front-end processing units,
4 miniprocessors, microprocessors, and related peripheral equipment such as data storage devices,
5 networking equipment, routers, document scanners, data entry equipment, terminal controllers,
6 data terminal equipment, and computer-based word processing systems other than memory
7 typewriters.

8 (2) "Information systems" means computer-based information, equipment and related
9 services designed for the automated transmission, storage, manipulation and retrieval of data by
10 electronic or mechanical means.

11 (3) "Information technology" means data processing and telecommunications hardware,
12 software, services, supplies, personnel, maintenance and training, and includes the programs and
13 routines used to employ and control the capabilities of data processing hardware.

14 (4) "Local government" means any town or city or any of their entities.

15 (5) "Technology infrastructure" means information equipment, information systems,
16 information technology and facilities, lines, and services designed for or used for the
17 transmission, emission or reception of signs, signals, writings, images or sound by wire, radio,
18 microwave, or other electromagnetic or optical systems, related hardware, software, and
19 programming, and specifically including, but not limited to, all features, facilities, equipment,
20 systems, functions, programming, and capabilities, and technical support used in providing or
21 related to:

- 22 (i) Cable service as defined in 47 U.S.C. 522(6);
- 23 (ii) Telecommunications service as defined in 47 U.S.C. 153(46);
- 24 (iii) Information service as defined in 47 U.S.C. 153(20);
- 25 (iv) Advanced services as defined in 47 CFR 51.5;
- 26 (v) Broadband internet service; and
- 27 (vi) Internet protocol enabled services.

28 **42-64.13-4. Innovation center.** – (a) There is created an office within the Rhode Island
29 economic development corporation called the Innovation Center. The primary responsibility of
30 the innovation center is to encourage the development and implementation of technology
31 infrastructure for public and private uses throughout the state.

32 (b) The innovation center may solicit and expend any gift, grant, contribution, bequest,
33 endowment or other money for the purposes of this section. Any transfer of endowment or other
34 assets to the center shall be formalized in a memorandum of agreement to assure, at a minimum,

1 that any restrictions governing the future disposition of funds are observed.

2 (c) The Rhode Island economic development corporation shall promulgate rules and
3 regulations to create the innovation center and fulfill the purposes of this section.

4 **42-64.13-5. Technology study.** – The innovation center shall:

5 (1) Conduct a study of technology infrastructure in the state and compare existing
6 technology infrastructure to best practices in the United States.

7 (2) Consider resources and technical support available through other entities and
8 agencies, both public and private, including the state college and university systems, regional
9 planning organizations, state high technology associations, and the state chamber of commerce
10 during its study.

11 (3) By July 1, 2010, issue a public report on its study which shall include:

12 (i) The current condition of technology infrastructure in the state;

13 (ii) Options and strategies for upgrading technology infrastructure in the state;

14 (iii) Options and strategies for encouraging technology cooperation and partnerships
15 among state government, local government, private business, and institutions of higher education;

16 (iv) Expected condition of technology infrastructure if the state does nothing to
17 encourage it; and

18 (v) Recommendations for actions by the state to encourage improvements in technology
19 infrastructure.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- ELECTRONIC
TELECOMMUNICATION OPEN INFRASTRUCTURE ACT

1 This act would create an innovation center within the Rhode Island economic
2 development corporation to help support and improve education, health care, public safety and
3 economic security by increasing access to the internet and other new technologies.

4 This act would take effect upon passage.

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