

REFERENCE TITLE: state broadband grant program

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

# HB 2614

Introduced by  
Representative Sun

AN ACT

AMENDING TITLE 41, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 41-1511.01; RELATING TO THE ARIZONA COMMERCE AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 10, article 1, Arizona Revised  
3 Statutes, is amended by adding section 41-1511.01, to read:

4 41-1511.01. State broadband grant program

5 A. THE STATE BROADBAND GRANT PROGRAM IS ESTABLISHED TO PROMOTE  
6 BROADBAND INFRASTRUCTURE DEVELOPMENT AND PROVIDE BROADBAND ACCESS IN THIS  
7 STATE. THE AUTHORITY SHALL ADMINISTER THE GRANT PROGRAM. APPLICANTS  
8 SHALL SUBMIT AN APPLICATION ON A FORM PRESCRIBED BY THE AUTHORITY. THE  
9 AUTHORITY SHALL PRIORITIZE APPLICANTS THAT:

10 1. ARE ABLE TO DEMONSTRATE THAT THEY HAVE ROBUST TRAINING PROGRAMS  
11 WITH REQUIREMENTS THAT ARE TIED TO TITLES, UNIFORM WAGE SCALES AND SKILL  
12 CODES RECOGNIZED IN THE INDUSTRY AND REQUIRE OCCUPATIONAL SAFETY AND  
13 HEALTH ADMINISTRATION TRAINING.

14 2. WILL PERFORM WORK FUNDED BY THE PROGRAM USING A WORKFORCE THAT  
15 IS DIRECTLY EMPLOYED.

16 3. DEMONSTRATE THAT THE WORKFORCE PERFORMING THE WORK WILL RECEIVE  
17 HIGH QUALITY WAGES AND BENEFITS.

18 4. HAVE ROBUST RECORDS OF COMPLIANCE WITH THIS STATE'S LABOR LAWS,  
19 THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (P.L. 91-593; 84 STAT.  
20 1590), THE FAIR LABOR STANDARDS ACT OF 1938 (52 STAT. 1060; 29 UNITED  
21 STATES CODE SECTION 201), TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 (P.L.  
22 88-352; 78 STAT. 241) AND ALL OTHER APPLICABLE LABOR OR EMPLOYMENT LAWS IN  
23 THE PAST FIVE YEARS OR HAVE MITIGATED VIOLATIONS WITH LABOR COMPLIANCE  
24 AGREEMENTS AND MEASURES TO ENSURE FUTURE LABOR COMPLIANCE.

25 B. PARTICIPANTS IN THE STATE BROADBAND GRANT PROGRAM SHALL SUBMIT A  
26 MONTHLY REPORT TO THE AUTHORITY THAT DESCRIBES ALL OF THE FOLLOWING:

27 1. WHETHER THE WORKFORCE WILL BE DIRECTLY EMPLOYED BY THE  
28 CONTRACTOR OR WHETHER WORK WILL BE PERFORMED BY A SUBCONTRACTED WORKFORCE.

29 2. THE SPECIFIC ENTITIES THE CONTRACTOR PLANS TO SUBCONTRACT WITH  
30 IN CARRYING OUT THE PROPOSED WORK.

31 3. THE JOB TITLES AND SIZE OF THE WORKFORCE THAT IS REQUIRED TO  
32 CARRY OUT THE PROPOSED WORK OVER THE COURSE OF THE PROJECT.

33 4. A DESCRIPTION OF ALL OF THE FOLLOWING FOR EACH JOB TITLE THAT IS  
34 REQUIRED TO CARRY OUT THE WORK:

35 (a) THE WAGES, BENEFITS AND APPLICABLE WAGE SCALES, INCLUDING  
36 OVERTIME RATES, AND A DESCRIPTION OF HOW WAGES ARE CALCULATED.

37 (b) ANY IN-HOUSE TRAINING PROGRAM, INCLUDING WHETHER THE TRAINING  
38 PROGRAM IS TIED TO TITLES, UNIFORM WAGE SCALES AND SKILL CODES RECOGNIZED  
39 IN THE INDUSTRY.

40 (c) APPLICABLE SAFETY TRAINING, CERTIFICATION AND LICENSURE  
41 REQUIREMENTS, INCLUDING WHETHER EMPLOYEES ARE REQUIRED TO HAVE COMPLETED  
42 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TRAINING OR ANY OTHER  
43 TRAINING REQUIRED BY LAW.

44 (d) THE ENTITY THAT EMPLOYS THE WORKFORCE IN EACH JOB TITLE.

1 C. THE AUTHORITY SHALL CONDUCT QUARTERLY REVIEWS OF ALL PROGRAM  
2 PARTICIPANTS TO ENSURE COMPLIANCE WITH THIS SECTION AND MAY TAKE ANY  
3 APPROPRIATE MEASURES TO ENFORCE THIS SECTION.

4 D. IF AN APPLICANT IS A PUBLIC AGENCY, THE PUBLIC AGENCY IS SUBJECT  
5 TO THE REQUIREMENTS OF THIS SECTION REGARDLESS OF ITS STATUS AS A PUBLIC  
6 AGENCY, INCLUDING AS TO ANY FURTHER SUBGRANTING THE PUBLIC AGENCY  
7 CONDUCTS, CONSISTENT WITH THE CONTRACTING REQUIREMENTS OF THE PUBLIC  
8 AGENCY.

9 E. IF AN APPLICANT FAILS TO MEET THE PROGRAM REQUIREMENTS  
10 PRESCRIBED BY THIS SECTION OR FALSIFIES INFORMATION REGARDING SUCH  
11 REQUIREMENTS, THE AUTHORITY SHALL INVESTIGATE THE APPLICANT AND ISSUE AN  
12 APPROPRIATE ACTION, INCLUDING A DETERMINATION THAT THE APPLICANT IS  
13 INELIGIBLE FOR FUTURE PARTICIPATION IN THE PROGRAM.