



Montana Association of Counties
2715 Skyway Drive
Helena, MT 59602-1213
(p) 406.449.4360 | (f) 406.442.5238
maco@mtcounties.org | www.mtcounties.org

RESOLUTION 2022-01

ALLOW COUNTIES TO ACT AS A CONDUIT FOR FEDERAL FUNDING OF BROADBAND SERVICE TO PRIVATE SERVICE PROVIDERS

It is the intent of the Montana Association of Counties to modify the law to allow counties to act as a conduit for federal funding of broadband service to private service providers.

WHEREAS broadband deployment has become a national priority for commerce, health care, education, and quality of life; and

WHEREAS Montana is among the worst rated states for broadband connectivity in the nation; and

WHEREAS since the 2021 legislative session adjourned, Congress has approved millions of dollars in additional funding to improve broadband access in unserved and underserved areas of the nation; and

WHEREAS some of these federal grants require that a local government entity be the applicant for funding; and

WHEREAS the Montana Code Annotated prohibits Government competition with private Internet service providers except in a very narrow set of exceptions (MCA 2-17-603); and

WHEREAS the afore-mentioned prohibition precludes Montana local governments from applying for federal grants to finance broadband infrastructure; and

WHEREAS the 2021 Montana Legislature approved an exception that allowed local government to utilize ARPA funding to assist local service providers in expanding broadband coverage in Montana.

NOW, THEREFORE BE IT RESOLVED that that the Montana Association of Counties will seek legislation to add an exemption to MCA 2-17-603 allowing local governments to act as a funding conduit on all federal grant opportunities. Local governments would still be subject to the same operating prohibitions as an internet service provider.

SPONSOR:	CASCADE COUNTY
REFERRED TO:	COMMUNITY, ECONOMIC DEVELOPMENT & LABOR COMMITTEE (CEDL)
ADOPTED:	ANNUAL CONFERENCE – SEPTEMBER 28, 2022