

# HOUSE BILL NO. 4209

February 10, 2021, Introduced by Reps. Griffin and Wendzel and referred to the Committee on Communications and Technology.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
(MCL 211.1 to 211.155) by adding section 9p.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 9p. (1) Beginning December 31, 2020, eligible broadband**  
2 **equipment that resolves lack of broadband service in an unserved**  
3 **area when placed in service is exempt from the collection of taxes**  
4 **under this act.**

5           **(2) To claim the exemption under this section, a qualified**

1 business must file a statement from the president or chief  
2 executive officer or equivalent position of the qualified business,  
3 or otherwise provide similar certification in a form and manner  
4 prescribed by the department of treasury, specifically describing  
5 the equipment for which the exemption is claimed and certifying  
6 that all of the requirements for the exemption under this section  
7 are met as to that equipment. The statement or other similar  
8 certification must be filed with the department of treasury by not  
9 later than February 20 of each year that the exemption is claimed.

10 (3) As used in this section:

11 (a) "Broadband service" means a retail terrestrial service  
12 capable of delivering high-speed internet access at speeds of at  
13 least 10 megabits per second downstream and 1 megabit per second  
14 upstream.

15 (b) "Census block" means a geographic area defined as a census  
16 block by the United States Department of Commerce, Bureau of the  
17 Census in conducting the most recent decennial census.

18 (c) "Eligible broadband equipment" means any equipment  
19 acquired by a qualified business that meets all of the following:

20 (i) Is used for or is substantially related to providing  
21 broadband service in at least 1 direction. The term includes, but  
22 is not limited to, asynchronous transfer mode switches, digital  
23 subscriber line access multiplexers, antennas, routers, servers,  
24 multiplexers, fiber optic cable, and related equipment technology.  
25 The term also includes, but is not limited to, the following:

26 (A) For a qualified business that is a telecommunications  
27 carrier, equipment that is necessary to provide broadband service  
28 and is an integral part of a broadband network.

29 (B) For a qualified business that is a commercial mobile

1 service carrier, equipment extending from the subscriber side of  
2 the mobile telecommunications switch to a transmitting or receiving  
3 antenna, including the antenna, on the outside of the structure in  
4 which the subscriber is located.

5 (C) For a qualified business that is a cable or open video  
6 system operator or video service provider, equipment extending from  
7 within the headend to the outside of the structure in which the  
8 subscriber is located.

9 (ii) Was first installed by the qualified business after  
10 December 31, 2019, and not more than 10 years before January 1 of  
11 the calendar year for which the exemption is claimed.

12 (d) "Person" means an individual, sole proprietorship,  
13 partnership, corporation, association, limited liability company,  
14 or any other legal entity.

15 (e) "Qualified business" means a person that provides, whether  
16 directly or with a wholly owned subsidiary or subunit, terrestrial  
17 broadband service, including terrestrial wireless broadband  
18 service.

19 (f) "Unserved area" means either a census block without at  
20 least 1 provider providing broadband service within the census  
21 block, or a specific area within a census block in which no  
22 provider is providing broadband service.

23 Enacting section 1. This amendatory act does not take effect  
24 unless Senate Bill No. \_\_\_\_ or House Bill No. 4210 (request no.  
25 01436'21) of the 101st Legislature is enacted into law.