

SENATE BILL NO. 729

November 10, 2021, Introduced by Senator NESBITT and referred to the Committee on Energy and Technology.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 9q. (1) Beginning December 31, 2021, both of the**
2 **following are exempt from the collection of taxes under this act:**

3 **(a) Eligible broadband equipment that resolves lack of**
4 **broadband service provided by a qualified business that has been**
5 **selected to receive, provisionally or otherwise, funding to support**

1 the expansion of broadband networks from the Federal Communications
2 Commission, the United States Department of Agriculture, or this
3 state.

4 (b) Eligible broadband equipment that resolves lack of
5 broadband service by delivering high-speed internet access at
6 speeds of at least 100 megabits per second downstream and 10
7 megabits per second upstream.

8 (2) To claim the exemption under this section, a qualified
9 business must file a statement from an officer of the qualified
10 business, or otherwise provide similar certification in a form and
11 manner prescribed by the department of treasury, specifically
12 describing the equipment for which the exemption is claimed and
13 certifying that all of the requirements for the exemption under
14 this section are met as to that equipment. The statement or other
15 similar certification must be filed with the department of treasury
16 by not later than February 20 of each year that the exemption is
17 claimed.

18 (3) As used in this section:

19 (a) "Eligible broadband equipment" means any personal property
20 acquired by a qualified business, including, but not limited to,
21 fiber-optic and coaxial cable, conduits, pole attachment hardware,
22 cabinets, pedestals, amplifiers, routers, servers, multiplexers,
23 antennae, and related equipment, that meets both of the following:

24 (i) Is used in the transmission or receipt of data in at least
25 1 direction.

26 (ii) Was first installed by the qualified business after
27 December 31, 2021 and before December 31, 2026, and has been used
28 by the qualified business for not more than 10 years.

29 (b) "Lack of broadband service" means either no terrestrial

1 internet access or access to terrestrial internet delivered at
2 speeds of less than 25 megabits per second downstream and 3
3 megabits per second upstream. For purposes of this definition, a
4 person may experience lack of broadband service regardless of any
5 access the person may have to satellite internet.

6 (c) "Person" means an individual, sole proprietorship,
7 partnership, corporation, association, limited liability company,
8 or any other legal entity.

9 (d) "Qualified business" means a person that provides
10 terrestrial broadband service, including terrestrial wireless
11 broadband service.

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.