

# HOUSE BILL NO. 5457

February 20, 2024, Introduced by Reps. Scott, McFall, Byrnes, Brabec, Hope, Mentzer, Neeley, O'Neal, MacDonell, Glanville, Martus, Rheingans, Dievendorf, Brenda Carter, Hoskins, Edwards, Wilson, Breen, Young, Rogers, Churches, Tyrone Carter, Morse, Snyder, Grant, Steckloff, Hill, Farhat and Whitsett and referred to the Committee on Energy, Communications, and Technology.

A bill to amend 2020 PA 224, entitled  
"Broadband expansion act of Michigan,"  
by amending section 2 (MCL 484.3252).

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

- 1           Sec. 2. As used in this act:
- 2           (a) "Applicant" means an internet service provider that
- 3 submits an application for a grant after collaborating with the
- 4 community in the unserved area.

1 (b) "Broadband service" means a retail service, not including  
2 a satellite service, capable of delivering high-speed internet  
3 access at speeds of at least 25 megabits per second downstream and  
4 3 megabits per second upstream.

5 (c) "Department" means the department of ~~technology,~~  
6 ~~management, and budget.~~ **labor and economic opportunity.**

7 (d) "Deployed" means that a provider meets either of the  
8 following:

9 (i) Currently provides broadband service of at least 25  
10 megabits per second download and 3 megabits per second upload in  
11 the specific geographic area of the proposed project of the  
12 applicant.

13 (ii) Is able to provide broadband service of at least 25  
14 megabits per second download and 3 megabits per second upload in a  
15 specific geographic area of the proposed project of the applicant  
16 to a customer that requests that service not later than 30 days  
17 after the customer requests installation of that service and  
18 without an extraordinary commitment of resources or construction  
19 charges or fees exceeding an ordinary service activation fee. The  
20 30-day time period is extended to 60 days if permits are needed  
21 before the broadband service is activated.

22 (e) "Internet service provider" means any of the following:

23 (i) An entity holding a license under the Michigan  
24 telecommunications act, 1991 PA 179, MCL 484.2101 to 484.2603.

25 (ii) An entity holding a franchise under the uniform video  
26 services local franchise act, 2006 PA 480, MCL 484.3301 to  
27 484.3315.

28 (iii) An entity currently providing broadband service in this  
29 state.

1 (f) "Person" includes an individual, community organization,  
2 cooperative association, corporation, federally recognized Indian  
3 tribe, limited liability company, nonprofit corporation,  
4 partnership, or political subdivision of this state.

5 (g) "Trade secrets" means trade secret as that term is defined  
6 in section 2 of the uniform trade secrets act, 1998 PA 448, MCL  
7 445.1902.

8 (h) "Unserved area" means any of the following:

9 (i) A census block lacking access to broadband service from at  
10 least 1 internet service provider.

11 (ii) An area lacking access to broadband service from at least  
12 1 internet service provider according to the most accurate and  
13 granular data on the broadband map created by the Federal  
14 Communications Commission.

15 (iii) An area delineated by the department by the process  
16 established in section 8.