

HOUSE BILL No. 4268

February 28, 2019, Introduced by Reps. Griffin and Hoitenga 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, 2018, ELIGIBLE BROADBAND
2 EQUIPMENT THAT RESOLVES LACK OF BROADBAND SERVICE IS EXEMPT FROM
3 THE COLLECTION OF TAXES UNDER THIS ACT.

4 (2) AS USED IN THIS SECTION:

5 (A) "BROADBAND SERVICE" MEANS A SERVICE CAPABLE OF DELIVERING
6 HIGH-SPEED INTERNET ACCESS AT SPEEDS OF AT LEAST 10 MEGABITS PER
7 SECOND DOWNSTREAM AND 1 MEGABIT PER SECOND UPSTREAM.

8 (B) "ELIGIBLE BROADBAND EQUIPMENT" MEANS ANY EQUIPMENT
9 ACQUIRED BY A QUALIFIED BUSINESS THAT MEETS ALL OF THE FOLLOWING:

1 (i) IS USED FOR OR IS SUBSTANTIALLY RELATED TO PROVIDING
2 BROADBAND SERVICE IN AT LEAST 1 DIRECTION. THE TERM INCLUDES, BUT
3 IS NOT LIMITED TO, ASYNCHRONOUS TRANSFER MODE SWITCHES, DIGITAL
4 SUBSCRIBER LINE ACCESS MULTIPLEXERS, ANTENNAS, ROUTERS, SERVERS,
5 MULTIPLEXERS, FIBER OPTIC CABLE, AND RELATED EQUIPMENT TECHNOLOGY.
6 THE TERM ALSO INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

7 (A) FOR A QUALIFIED BUSINESS THAT IS A TELECOMMUNICATIONS
8 CARRIER, EQUIPMENT THAT IS NECESSARY TO PROVIDE BROADBAND SERVICE
9 AND IS AN INTEGRAL PART OF A BROADBAND NETWORK.

10 (B) FOR A QUALIFIED BUSINESS THAT IS A COMMERCIAL MOBILE
11 SERVICE CARRIER, EQUIPMENT EXTENDING FROM THE SUBSCRIBER SIDE OF
12 THE MOBILE TELECOMMUNICATIONS SWITCH TO A TRANSMITTING OR RECEIVING
13 ANTENNA, INCLUDING THE ANTENNA, ON THE OUTSIDE OF THE STRUCTURE IN
14 WHICH THE SUBSCRIBER IS LOCATED.

15 (C) FOR A QUALIFIED BUSINESS THAT IS A CABLE OR OPEN VIDEO
16 SYSTEM OPERATOR OR VIDEO SERVICE PROVIDER, EQUIPMENT EXTENDING FROM
17 WITHIN THE HEADEND TO THE OUTSIDE OF THE STRUCTURE IN WHICH THE
18 SUBSCRIBER IS LOCATED.

19 (ii) WAS FIRST INSTALLED OR USED BY THE QUALIFIED BUSINESS
20 AFTER DECEMBER 31, 2018 AND HAS BEEN USED BY THE QUALIFIED BUSINESS
21 FOR NOT MORE THAN 10 YEARS.

22 (C) "PERSON" MEANS AN INDIVIDUAL, SOLE PROPRIETORSHIP,
23 PARTNERSHIP, CORPORATION, ASSOCIATION, LIMITED LIABILITY COMPANY,
24 OR ANY OTHER LEGAL ENTITY.

25 (D) "QUALIFIED BUSINESS" MEANS A PERSON WHO PROVIDES
26 TERRESTRIAL BROADBAND SERVICE, INCLUDING TERRESTRIAL WIRELESS
27 BROADBAND SERVICE.