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:

Sec. 9q. (1) Beginning December 31, 2021, both of the following are exempt from the collection of taxes under this act:
(a) Eligible broadband equipment that resolves lack of broadband service provided by a qualified business that has been selected to receive, provisionally or otherwise, funding to support
the expansion of broadband networks from the Federal Communications
Commission, the United States Department of Agriculture, or this
state.

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

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

(3) As used in this section:

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

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

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

(b) "Lack of broadband service" means either no terrestrial
internet access or access to terrestrial internet delivered at speeds of less than 25 megabits per second downstream and 3 megabits per second upstream. For purposes of this definition, a person may experience lack of broadband service regardless of any access the person may have to satellite internet.

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

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

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