

BROADBAND EXPANSION ACT OF MICHIGAN (EXCERPT)
Act 224 of 2020

484.3252 Definitions.

Sec. 2. As used in this act:

(a) "Applicant" means an internet service provider that submits an application for a grant after collaborating with the community in the unserved area.

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

(c) "Department" means the department of technology, management, and budget.

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

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

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

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

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

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

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

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

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

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

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

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

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

History: 2020, Act 224, Imd. Eff. Oct. 16, 2020.