

State of Misconsin 2023 - 2024 LEGISLATURE

LRB-5740/1 EHS:skw

## **2023 SENATE BILL 1082**

March 6, 2024 – Introduced by Senators SMITH, AGARD, L. JOHNSON, LARSON, ROYS and SPREITZER, cosponsored by Representatives SHANKLAND, RATCLIFF, BARE, EMERSON, JOERS, MOORE OMOKUNDE, SINICKI and STUBBS. Referred to Committee on Utilities and Technology.

AN ACT to repeal 66.0422 (2) (c), 66.0422 (4) and 66.0422 (5); and to amend 1  $\mathbf{2}$ 196.504 (1) (ac) 3. and 196.504 (2) (a) of the statutes; relating to: broadband 3 villages, expansion grants for cities, towns, and counties and 4 telecommunications-related construction projects of cities, villages, and towns.

## Analysis by the Legislative Reference Bureau

This bill makes changes to the broadband expansion grant program that affect cities, villages, towns, and counties (political subdivisions). Under current law, the Public Service Commission administers the program and makes grants to eligible applicants for constructing broadband infrastructure in underserved areas. The bill allows a political subdivision to apply for a grant without submitting the application in partnership with a telecommunications utility or a for-profit or not-for-profit organization, which is required under current law. The bill also allows a political subdivision to use a grant for the following purposes, in addition to constructing broadband infrastructure: 1) planning related to broadband infrastructure construction, including broadband feasibility reports; and 2) defraying no more than 50 percent of the cost of hiring and employing one broadband director.

The bill also eliminates a requirement for a city, village, or town to prepare a report before constructing or operating a facility for providing to the public telecommunications service, cable television or similar video service, or broadband service. With exceptions, current law requires a city, village, or town to hold a hearing before enacting an ordinance or adopting a resolution authorizing it to construct or operate such a facility. In addition, at least 30 days prior to the hearing,

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the city, village, or town must prepare and make available to the public a report that estimates the total costs and revenues for the facility and includes a cost-benefit analysis of the facility for a period of at least three years. Under the bill, a city, village, or town is not required to prepare that report.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

	The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
1	SECTION 1. 66.0422 (2) (c) of the statutes is repealed.
2	<b>SECTION 2.</b> 66.0422 (4) of the statutes is repealed.
3	<b>SECTION 3.</b> 66.0422 (5) of the statutes is repealed.
4	<b>SECTION 4.</b> 196.504 (1) (ac) 3. of the statutes is amended to read:
5	196.504 (1) (ac) 3. A political subdivision that submits an application in
6	partnership with an eligible applicant under subd. 1. or 2.
7	<b>SECTION 5.</b> 196.504 (2) (a) of the statutes, as affected by 2023 Wisconsin Act 77,
8	is amended to read:
9	196.504 (2) (a) To make broadband expansion grants to eligible applicants for
10	the purpose of constructing broadband infrastructure in unserved areas designated
11	under par. (e) and to political subdivisions for project planning related to such
12	construction, including broadband feasibility reports, or for defraying no more than
13	50 percent of the cost of hiring and employing one broadband director. Grants
14	awarded under this section shall be paid from the appropriations under ss. 20.155
15	(3) (r) and (rm) and 20.866 (2) (z), in the amount allocated under s. 20.866 (2) (z) 5.
16	(END)