



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4632/1
KP:emw/amn/skw

2021 SENATE BILL 565

September 15, 2021 - Introduced by Senators WIMBERGER, BERNIER and NASS, cosponsored by Representatives STEFFEN, ARMSTRONG, DITTRICH, LOUDENBECK, MACCO, MOSES, MURPHY, PENTERMAN, WICHGERS, ZIMMERMAN, TITTL and KUGLITSCH. Referred to Committee on Utilities, Technology and Telecommunications.

1 **AN ACT to create** 196.504 (2m) and 196.504 (3) (d) of the statutes; **relating to:**
2 broadband mapping and the use of certain federal funds for wireless broadband
3 and cellular service expansion grants.

Analysis by the Legislative Reference Bureau

This bill requires the Public Service Commission to award grants for constructing wireless broadband and cellular service infrastructure. Under the bill, PSC must give priority to projects that expand wireless broadband service or cellular service in areas designated by the Federal Communications Commission as unserved or underserved. Grant recipients must contribute matching funds equal to at least 20 percent of the grant. The bill requires the governor to allocate \$70,000,000 of the funds accepted under the federal American Rescue Plan Act of 2021 (ARPA) for these grants.

The bill also requires PSC to establish and maintain a publicly accessible map of fixed, mass market broadband service availability in this state. Under the bill, broadband service providers must disclose the properties they serve to PSC twice per year, and PSC must update the broadband service availability map twice per year. The bill requires the governor to allocate \$5,000,000 of the funds accepted under ARPA for this broadband mapping.

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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.** 196.504 (2m) of the statutes is created to read:

2 196.504 (2m) (a) From the moneys allocated under 2021 Wisconsin Act (this
3 act), section 3 (1), the commission shall award grants for constructing infrastructure
4 for providing wireless broadband service and cellular service.

5 (b) In awarding grants under this subsection, the commission shall do all of the
6 following:

7 1. Give priority to projects that expand wireless broadband service or cellular
8 service in areas of this state that the federal communications commission defines as
9 unserved or underserved.

10 2. Ensure that each project funded by a grant under this subsection provides
11 reliable wireless broadband service and cellular service to all of the following:

12 a. Each site on a state trunk highway or interstate highway within the area of
13 the project that the department of transportation determines has an annual average
14 daily traffic volume of more than 500 vehicles.

15 b. Each site on a state trunk highway or interstate highway in the county where
16 the project is completed that the department of transportation determines has an
17 annual average daily traffic volume of more than 500 vehicles.

18 (c) The commission may not award a grant under this subsection unless the
19 recipient of the grant contributes matching funds to the project funded by the grant
20 equal to at least 20 percent of the grant.

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1 (d) The commission may not award a grant under this subsection after October
2 1, 2024. Of the moneys allocated under 2021 Wisconsin Act ... (this act), section 3
3 (1), for making grants under this subsection, the commission shall distribute any
4 moneys not spent by October 1, 2024, to cities, villages, and towns in equal amounts
5 for making technological investments.

6 **SECTION 2.** 196.504 (3) (d) of the statutes is created to read:

7 196.504 (3) (d) Require each provider of fixed, mass market broadband service
8 to disclose to the commission on or before March 1 and September 1 of each year the
9 properties it serves and the type of technology it uses to provide the service in a
10 format consistent with and based on the broadband mapping requirements of the
11 federal communications commission under the Broadband Deployment Accuracy
12 and Technological Availability Act, 47 USC 641, et al. Using the information
13 disclosed under this paragraph, the commission shall establish and maintain a
14 publicly accessible map of broadband service availability in this state. The
15 commission shall update the map at least twice each year and shall display the
16 availability of broadband service for each type of technology used to provide
17 broadband service. The commission may contract with a private vendor to establish
18 and maintain the map required under this paragraph.

19 **SECTION 3. Nonstatutory provisions.**

20 (1) ALLOCATION OF FEDERAL ARPA FUNDS RECEIVED. Of the moneys the governor
21 accepts from the federal government under s. 16.54 pursuant to section 602 of the
22 federal Social Security Act as amended by the federal American Rescue Plan Act of
23 2021, P.L. 117-2, the governor shall allocate \$70,000,000 for making wireless
24 broadband and cellular service expansion grants under s. 196.504 (2m) and shall

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SECTION 3

1 allocate \$5,000,000 for establishing and maintaining the broadband service
2 availability map under s. 196.504 (3) (d).

3 **SECTION 4. Effective dates.** This act takes effect on the day after publication,
4 except as follows:

5 (1) BROADBAND DATA REPORTING AND MAPPING. The treatment of s. 196.504 (3) (d)
6 takes effect on January 1, 2022, or on the day after publication, whichever is later.

7 (END)