

By: Representative Powell

To: Public Utilities

HOUSE BILL NO. 1471

1 AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO  
 2 PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF BROADBAND  
 3 EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM ACCEPTING OR  
 4 RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY GRATUITY, GIFT, GIFT  
 5 IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER PECUNIARY BENEFIT FROM ANY  
 6 BROADBAND SERVICE PROVIDER, VENDOR, CONTRACTOR, OR SUBCONTRACTOR  
 7 THAT DOES BUSINESS WITH OR CONTRACTS WITH THE OFFICE; AND FOR  
 8 RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 77-19-7, Mississippi Code of 1972, is  
 11 amended as follows:

12 77-19-7. (1) The Office of Broadband Expansion and  
 13 Accessibility of Mississippi (BEAM) shall serve as the state  
 14 broadband office to review applications and make determinations  
 15 and awards for projects to provide broadband access in unserved or  
 16 underserved areas using the BEAM Fund created pursuant to this  
 17 chapter.

18 (2) It shall be the duty and responsibility of BEAM to:

19 (a) Coordinate all broadband expansion and  
 20 accessibility efforts on behalf of the state to ensure an  
 21 effective and efficient use of broadband grant funds;



22 (b) Develop the plan and application for federal grant  
23 programs and for sub-grantees to receive funds from said federal  
24 grants;

25 (c) Develop rules and procedures, if necessary and in  
26 accordance with the Administrative Procedures Act, to implement a  
27 competitive statewide broadband grant program;

28 (d) Coordinate all information provided by broadband  
29 service providers, including all broadband mapping efforts for the  
30 state. All information provided by a broadband service provider  
31 pursuant to this chapter shall be presumed to be confidential,  
32 proprietary, and subject to exemption from disclosure under state  
33 and federal law and shall not be subject to disclosure except in  
34 the form of a map where information that could be used to  
35 determine provider-specific information about the network of the  
36 broadband service providers is not disclosed. Such  
37 provider-specific information shall not be released to any person  
38 without written permission of the submitting broadband service  
39 provider. In no instance shall a broadband service provider be  
40 required to provide any data beyond that which it is required to  
41 provide to the Federal Communications Commission pursuant to 47  
42 USC Section 641 et seq.; and

43 (e) Apply for and receive federal grants or funds,  
44 including, but not limited to, Coronavirus Capital Projects Fund  
45 established by Section 604 of the Social Security Act, as added by  
46 Section 9901 of the American Rescue Plan Act of 2021, and the



47 Broadband Equity, Access and Deployment Program established by the  
48 Infrastructure Investment and Jobs Act of 2021, and all other  
49 federal broadband grant programs and any state support grant  
50 programs.

51 (3) To effectuate the purposes of this chapter, any  
52 department, division, board, bureau, committee, institution or  
53 agency of the state, or any political subdivision thereof, shall,  
54 at the request of the Director of BEAM, provide the assistance,  
55 information and data needed to enable BEAM to carry out its  
56 duties.

57 (4) An officer or employee of BEAM shall not accept or  
58 receive any gratuity, gift, gift in-kind, money, emolument, or any  
59 other pecuniary benefit, either directly or indirectly, from any  
60 broadband service provider, vendor, contractor, subcontractor,  
61 nonprofit organization or association that does business with or  
62 contracts with BEAM, or any designee, employee, agent, officer, or  
63 representative of such broadband service provider, vendor,  
64 contractor, subcontractor, nonprofit organization or association.  
65 For purposes of this section, the term "emolument" includes  
66 salary, donations, contributions, loans, stock tips, vacations and  
67 trips.

68 ( \* \* \*5) There is created within the State Treasury the  
69 "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund"  
70 for the purposes of the expansion and accessibility of broadband  
71 in unserved and underserved areas. The fund shall consist of all



72 monies designated, accepted or appropriated by the State of  
73 Mississippi for broadband deployment; all monies received from the  
74 federal government awarded to or allocated by the state for  
75 broadband deployment; and donations, gifts and monies received  
76 from any other source, including transfers from other funds or  
77 accounts. Disbursements from the fund shall be made by the  
78 Department of Finance and Administration upon appropriation by the  
79 Legislature in accordance with the provisions of this chapter.  
80 All unexpended and unencumbered monies in the fund at the end of  
81 the fiscal year shall remain in the fund. Monies in the fund  
82 shall be invested by the State Treasurer in the same manner as  
83 monies in the State General Fund and interest earned on the  
84 investment of these monies shall be credited to the fund.

85       **SECTION 2.** This act shall take effect and be in force from  
86 and after its passage.

