

Senate Amendments to House Bill No. 1471

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

8 77-19-7. (1) The Office of Broadband Expansion and
9 Accessibility of Mississippi (BEAM) shall serve as the state
10 broadband office to review applications and make determinations
11 and awards for projects to provide broadband access in unserved or
12 underserved areas using the BEAM Fund created pursuant to this
13 chapter.

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

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

18 (b) Develop the plan and application for federal grant
19 programs and for sub-grantees to receive funds from said federal
20 grants;

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

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

39 (e) Apply for and receive federal grants or funds,
40 including, but not limited to, Coronavirus Capital Projects Fund
41 established by Section 604 of the Social Security Act, as added by
42 Section 9901 of the American Rescue Plan Act of 2021, and the
43 Broadband Equity, Access and Deployment Program established by the
44 Infrastructure Investment and Jobs Act of 2021, and all other
45 federal broadband grant programs and any state support grant
46 programs * * *; and

47 (f) Grant final determinations for awards for projects
48 to provide broadband access in unserved or underserved areas
49 pursuant to subsection (1) of this section no later than sixty
50 (60) days after publishing a preliminary determination of an award
51 on BEAM's website pursuant to this chapter or thirty (30) days
52 after this law goes into effect, whichever is later, unless BEAM
53 determines that a proposed project includes an area where
54 broadband services currently are deployed, or where construction
55 is scheduled to be completed within one (1) year after the date of
56 application.

57 (3) To effectuate the purposes of this chapter, any
58 department, division, board, bureau, committee, institution or
59 agency of the state, or any political subdivision thereof, shall,
60 at the request of the Director of BEAM, provide the assistance,
61 information and data needed to enable BEAM to carry out its
62 duties.

63 (4) There is created within the State Treasury the
64 "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund"
65 for the purposes of the expansion and accessibility of broadband
66 in unserved and underserved areas. The fund shall consist of all
67 monies designated, accepted or appropriated by the State of
68 Mississippi for broadband deployment; all monies received from the
69 federal government awarded to or allocated by the state for
70 broadband deployment; and donations, gifts and monies received
71 from any other source, including transfers from other funds or
72 accounts. Disbursements from the fund shall be made by the

73 Department of Finance and Administration upon appropriation by the
74 Legislature in accordance with the provisions of this chapter.
75 All unexpended and unencumbered monies in the fund at the end of
76 the fiscal year shall remain in the fund. Monies in the fund
77 shall be invested by the State Treasurer in the same manner as
78 monies in the State General Fund and interest earned on the
79 investment of these monies shall be credited to the fund.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO
2 ALLOW BEAM TO GRANT FINAL DETERMINATIONS FOR AWARDS FOR PROJECTS
3 TO PROVIDE BROADBAND ACCESS IN CERTAIN UNSERVED OR UNDERSERVED
4 AREAS; AND FOR RELATED PURPOSES.

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Amanda White
Secretary of the Senate