

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1471

BY: Committee

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

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

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

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



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

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

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

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



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

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

63 (3) To effectuate the purposes of this chapter, any
64 department, division, board, bureau, committee, institution or
65 agency of the state, or any political subdivision thereof, shall,
66 at the request of the Director of BEAM, provide the assistance,
67 information and data needed to enable BEAM to carry out its
68 duties.



69 (4) An officer or employee of BEAM shall not accept or
70 receive any gratuity, gift, gift in-kind, money, emolument, or any
71 other pecuniary benefit, either directly or indirectly, from any
72 broadband service provider, vendor, contractor, subcontractor,
73 nonprofit organization or association that does business with or
74 contracts with BEAM, or any designee, employee, agent, officer, or
75 representative of such broadband service provider, vendor,
76 contractor, subcontractor, nonprofit organization or association.
77 For purposes of this section, the term "emolument" includes
78 salary, donations, contributions, loans, stock tips, vacations and
79 trips.

80 (* * *5) There is created within the State Treasury the
81 "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund"
82 for the purposes of the expansion and accessibility of broadband
83 in unserved and underserved areas. The fund shall consist of all
84 monies designated, accepted or appropriated by the State of
85 Mississippi for broadband deployment; all monies received from the
86 federal government awarded to or allocated by the state for
87 broadband deployment; and donations, gifts and monies received
88 from any other source, including transfers from other funds or
89 accounts. Disbursements from the fund shall be made by the
90 Department of Finance and Administration upon appropriation by the
91 Legislature in accordance with the provisions of this chapter.
92 All unexpended and unencumbered monies in the fund at the end of
93 the fiscal year shall remain in the fund. Monies in the fund



94 shall be invested by the State Treasurer in the same manner as
95 monies in the State General Fund and interest earned on the
96 investment of these monies shall be credited to the fund.

97 **SECTION 2.** This act shall take effect and be in force from
98 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; TO PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF
5 BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM
6 ACCEPTING OR RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY
7 GRATUITY, GIFT, GIFT IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER
8 PECUNIARY BENEFIT FROM ANY BROADBAND SERVICE PROVIDER, VENDOR,
9 CONTRACTOR, OR SUBCONTRACTOR THAT DOES BUSINESS WITH OR CONTRACTS
10 WITH THE OFFICE; AND FOR RELATED PURPOSES.

