

## Senate proposal of amendment

### H. 657.

An act relating to the modernization of Vermont's communications taxes and fees

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 10, 32 V.S.A. § 3602b, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) As used in this section, "communications property" means tangible personal property used to enable the real-time, two-way, electromagnetic transmission of information, such as audio, video, and data, that is so fitted and attached as to be part of a local, state, national, or international communications network, as well as facilities that are part of a cable television system as defined in 30 V.S.A. § 501(2). The term includes wires, cables, conduit, pipes, antennas, poles, and wireless towers.

Second: By striking out Sec. 13a, 19 V.S.A. § 26a, and its reader assistance heading in their entirety and inserting in lieu thereof a reader assistance heading and a new section to be Sec. 14 to read as follows:

\* \* \* Study; Public ROW \* \* \*

#### Sec. 14. STUDY; COMMUNICATIONS INFRASTRUCTURE; RIGHT-OF-WAY

(a) The Secretary of Transportation, in consultation with the Commissioner of Public Service and the Secretary of Digital Services, shall conduct a study concerning access to and use of the public right-of-way (ROW) in Vermont by telephone (wired and wireless) and broadband companies. In particular, the Secretary shall determine how the ROW is currently being accessed and used by such companies in Vermont and, in addition, shall review and assess how other jurisdictions outside Vermont manage and charge for such access and use.

(b) As used in this section, "public right-of-way" means the area on, below, along, across, or above a public roadway that is part of the State highway system.

(c) On or before October 15, 2025, the Secretary shall submit a written report of the Secretary's findings and recommendations to the Senate Committees on Finance and on Transportation and the House Committees on Ways and Means, on Transportation, and on Environment and Energy.

Third: By striking out Sec. 14, effective dates, in its entirety and inserting in lieu thereof a new section to be Sec. 15 to read as follows:

#### Sec. 15. EFFECTIVE DATES

This act shall take effect on passage, except that:

(1) Sec. 13 (PILOT Fund appropriation) shall take effect on July 1, 2024.

(2) Secs. 1–6 (VUSF contribution method; 988 funding) shall take effect on July 1, 2025.

(3) Secs. 8–12 (communications property tax) shall take effect on July 1, 2025 and shall apply to grand lists lodged on or after April 1, 2025.