

**SENATE BILL NO. 667**

June 17, 1999, Introduced by Senators DUNASKISS, HOFFMAN,  
GOSCHKA and DINGELL and referred to the Committee on  
Technology and Energy.

A bill to provide equal access to broadband internet access;  
and to provide for penalties.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the  
2 "internet access enhancement act of 1999".

3       Sec. 2. As used in this act:

4       (a) "Affiliate" means a person who, directly or indirectly,  
5 owns or controls, is owned or controlled by, or is under common  
6 ownership or control with, another person. The term "own" means  
7 to own an equity or other financial interest of more than 10% or  
8 any management interest.

9       (b) "Broadband" means of a capability in excess of 144 kilo-  
10 bits per second.

11       (c) "Broadband internet access transport services" means the  
12 broadband transmission of data between a user and his or her

1 internet service provider's point of interconnection with the  
2 broadband internet access transport provider's facilities.

3 (d) "Internet" means collectively the myriad of computer and  
4 telecommunications facilities, including equipment and operating  
5 software, that comprise the interconnected worldwide network of  
6 networks that employ the transmission control protocol/internet  
7 protocol, or any predecessor or successor protocols to such pro-  
8 tocol, to communicate information of all kinds by wire or radio.

9 (e) "Internet service provider" means a person who provides  
10 a service that enables users to access content, information,  
11 electronic mail, or other services offered over the internet.

12 (f) "Wireline broadband internet access transport provider"  
13 means a person who provides broadband internet access transport  
14 services, by aid of wire, cable, or other like connection, over  
15 facilities owned by it or under its control for a fee directly or  
16 indirectly to the public. The term also includes an internet  
17 service provider who self-provides, over facilities owned by it  
18 or under its control, the wireline broadband transport of its  
19 services between itself and its users.

20 Sec. 3. (1) Each wireline broadband internet access trans-  
21 port provider who is, or is an affiliate of, an internet service  
22 provider shall provide any other requesting internet service pro-  
23 vider access to its broadband internet access transport services,  
24 unbundled from the provision of content, on rates, terms, and  
25 conditions that are at least as favorable as those on which it  
26 provides the access to itself, to its affiliate, or to any other  
27 person.

1       (2) The access required under subsection (1) shall be  
2 provided at any technically feasible point selected by the  
3 requesting internet service provider.

4       Sec. 4. A person who violates this act is guilty of a mis-  
5 demeanor punishable by imprisonment for not more than 90 days or  
6 a fine of not more than \$5,000.00, or both.