
Wisconsin Legislative Council

ACT MEMO



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2019 Wisconsin Act 128 [2019 Assembly Bill 344]

Telephone Company Tax Exemption for Broadband Service

Under state law, the real and tangible personal property of a telephone company that the Department of Revenue (DOR) determines is used more than 50 percent in the operation of the telephone company is not subject to general property tax. Rather, such property is subject to a specific tax collected by DOR (“telephone company tax”) unless an exemption applies.

2019 Wisconsin Act 128 adds “qualified broadband service property” to the current list of telephone company property that is exempt from the telephone company tax. For purposes of the exemption, qualified broadband service property is defined to mean either:

- Tangible personal property installed **before 2020** that is used to provide Internet access to **rural areas** at speeds of at least 25 megabits per second download and three megabits per second upload; or
- Tangible personal property installed **in 2020 or later** that is used to provide Internet access to **rural or underserved areas** at speeds of at least 25 megabits per second download and three megabits per second upload or certain download and upload speed benchmarks designated by the Federal Communications Commission, whichever are higher.

Under the act, a “rural area” is an area in this state that is located outside a federal metropolitan statistical area or is located in a city, village, or town with a population of not more than 14,000. For property installed before 2020, the determination of whether an area is rural is to be based on the 2010 federal decennial census. An “underserved area” is an area in this state in which Internet access service at the highest speed threshold described under the act is not available from at least two wired providers.

Effective date: March 5, 2020. The telephone company tax exemption for eligible property installed **in 2020 or later in rural and underserved areas** first applies to property tax assessments beginning on January 1, 2021. The exemption for eligible property installed **before 2020 in rural areas** first applies to property tax assessments beginning January 1, 2025.

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