House Amendment 1593

1 1   Amend the amendment, H=1589, to House File 861 as
1 2 follows:
1 3 #1. Page 1, line 6, by striking the word
1 4 <subparagraph> and inserting the following:
1 5 <subparagraphs>.
1 6 #2. Page 1, by inserting after line 40 the
1 7 following:
1 8   <NEW SUBPARAGRAPH. (6) Unfairly discriminate in
1 9 pricing in violation of section 551.12.
1 10   Sec. ___. NEW SECTION. 551.12 UNFAIR
1 11 DISCRIMINATION IN PRICING BY PROVIDERS OF CABLE
1 12 TELEVISION SERVICES.
1 13   1. A provider of cable television services shall
1 14 not provide cable television services in a defined
1 15 geographic area at a rate less than ninety percent of
1 16 the provider's highest published rate charged to
1 17 customers in any other area of this state unless any
1 18 of the following apply:
1 19   a. The lower rate is not less than the cost of
1 20 providing such cable television services in the area
1 21 and the lower rate generates a profit for the provider
1 22 of cable television services.
1 23   b. The lower rate is available to any customer
1 24 within the state served by the provider.
1 25   2. Any aggrieved person or the attorney general
1 26 may commence a civil action against a provider of
1 27 cable television services for a violation of this
1 28 section for actual damages, court costs, and attorney
1 29 fees.
1 30   3. For purposes of this section, "provider of
1 31 cable television services" means a cable television
1 32 service provider with fifty thousand or more
1 33 customers.>
1 34 #3. Page 1, line 48, by inserting after the word
1 35 <enterprise,> the following: <and through prohibiting
1 36 discrimination in pricing,>.
1 37 #4. By renumbering as necessary.
1 38
1 39
1 40 _____
1 41 MAY of Dickinson
1 42
1 43
1 44 _____
1 45 FREEMAN of Buena Vista
1 46
1 47
1 48 _____
1 49 JOCHUM of Dubuque
1 50
2 1 _____
2 2 KRESSIG of Black Hawk
2 3
2 4
2 5 _____
2 6 MERTZ of Kossuth
2 7 HF 861.702 81
2 8 kk/gg/2153