

H-4/12/01 UNFINISHED BUSINESS CALENDAR

H-3/21/01 Commerce
H-4/5/01 Amend/Do Pass
W/H 1433

FILED FEB 13 '01

SENATE FILE **168**
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SF 47)

Passed Senate, ^(P. 692) Date 3-19-01 Passed House, ^(P. 1187) Date 4-16-01
Vote: Ayes 27 Nays 21 Vote: Ayes 98 Nays 0
Approved 4-26-01

(P. 1187)

Passed 4-18-01
Vote 47-0

A BILL FOR

- 1 An Act relating to the granting of additional cable television
- 2 franchises by a city.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

SENATE FILE 168

H-1433

- 1 Amend Senate File 168 as follows:
- 2 1. Page 1, by striking lines 3 through 19 and
- 3 inserting the following:
- 4 "NEW PARAGRAPH. g. If a city grants more than one
- 5 cable television franchise, the material terms and
- 6 conditions of any additional franchise shall not give
- 7 undue preference or advantage to the new franchisee.
- 8 A city shall not grant a new franchise that does not
- 9 include the same territory as that of the existing
- 10 franchise. A new franchisee shall be given a
- 11 reasonable period of time to build the new system
- 12 throughout the territory."

By COMMITTEE ON COMMERCE AND REGULATION
HANSEN of Pottawattamie, Chairperson

H-1433 FILED APRIL 5, 2001

Adopted
4-16-01 (P. 1187)

- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 364.2, subsection 4, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. g. If a city grants more than one cable
4 television franchise, the terms or conditions of any
5 additional franchise, including but not limited to terms and
6 conditions pertaining to the territorial extent of the
7 franchise; system design; technical performance standards;
8 construction schedule; performance bonds; standards for
9 construction and installation of cable television facilities;
10 service to subscribers; public, government, and education
11 access channels and programming; liability and
12 indemnification; and franchise fees, shall not be more
13 favorable or less burdensome than the terms or conditions of
14 any existing cable television franchise. If the terms or
15 conditions of any additional franchise are more favorable or
16 less burdensome than the terms or conditions of any existing
17 cable television franchise, then the more favorable or less
18 burdensome terms or conditions shall also be applicable to any
19 existing cable television franchise.

20 EXPLANATION

21 This bill provides that if a city grants more than one
22 cable television franchise, the terms and conditions of any
23 additional franchise shall not be more favorable or less
24 burdensome than the terms or conditions of any existing cable
25 television franchise. If the terms or conditions of any
26 additional franchise are more favorable or less burdensome
27 than the terms or conditions of any existing cable television
28 franchise, then the more favorable or less burdensome terms or
29 conditions shall also be applicable to any existing cable
30 television franchise.

31
32
33
34
35

HOUSE AMENDMENT TO
SENATE FILE 168

S-3359

1 Amend Senate File 168 as follows:
2 1. Page 1, by striking lines 3 through 19 and
3 inserting the following:
4 "NEW PARAGRAPH. g. If a city grants more than one
5 cable television franchise, the material terms and
6 conditions of any additional franchise shall not give
7 undue preference or advantage to the new franchisee.
8 A city shall not grant a new franchise that does not
9 include the same territory as that of the existing
10 franchise. A new franchisee shall be given a
11 reasonable period of time to build the new system
12 throughout the territory."

RECEIVED FROM THE HOUSE

S-3359 FILED APRIL 17, 2001

Senate Concurred

4-18-01

(P. 1187)

reasonable period of time to build the new system throughout the territory.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 168, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 26, 2001

THOMAS J. VILSACK
Governor

SENATE FILE 168

AN ACT

RELATING TO THE GRANTING OF ADDITIONAL CABLE TELEVISION FRANCHISES BY A CITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 364.2, subsection 4, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. g. If a city grants more than one cable television franchise, the material terms and conditions of any additional franchise shall not give undue preference or advantage to the new franchisee. A city shall not grant a new franchise that does not include the same territory as that of the existing franchise. A new franchisee shall be given a