

House File 2260 - Introduced

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BY CROKEN, MADISON, KURTH, and
AMOS JR.

A BILL FOR

1 An Act relating to the audio volume level of commercial
2 advertisements provided by a video streaming service, and
3 providing penalties.

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

unofficial

1 Section 1. Section 474.1, subsection 4, Code 2026, is amended
2 to read as follows:

3 4. As used in this chapter and chapters 475A, 476, 476A,
4 477A, 477B, 477C, 478, 479, 479A, and 479B, "commission" and
5 "utilities commission" mean the Iowa utilities commission.

6 Sec. 2. NEW SECTION. **477B.1 Video streaming services —**
7 **audio volume level of commercials.**

8 1. *Definitions.* As used in this section, unless the context
9 otherwise requires:

10 a. "Commercial advertisement" means any paid message or
11 promotional content for a product, service, or brand transmitted
12 during a video streaming service in connection with video
13 programming or video content.

14 b. "Consumer-generated media" means content, including video,
15 audio, and multimedia, created and made available by consumers to
16 internet sites or services on the internet.

17 c. "Video programming" means programming by, or generally
18 considered comparable to programming provided by, a television
19 broadcast station. "Video programming" does not include
20 consumer-generated media.

21 d. (1) "Video streaming service" means an entity that makes
22 available directly to the consumer, through a distribution method
23 that uses internet protocol, any of the following:

24 (a) Video programming.

25 (b) Video content.

26 (2) "Video streaming service" does not include a television
27 broadcast station, cable operator, or other multichannel video
28 programming distributor, or an entity that provides video
29 programming or video content without commercial advertisements.

30 2. *Advertisement volume level.* On and after July 1, 2026,
31 a video streaming service that serves a consumer residing in
32 this state shall not transmit to the consumer a commercial
33 advertisement at a higher average audio volume level than the
34 average audio volume level of the video programming or video
35 content the advertisement accompanies.

1 3. *Federal compliance.* Subsection 2 shall be enforced
2 consistent with federal communications commission regulations
3 under the federal Commercial Advertisement Loudness Mitigation
4 Act, Pub. L. No. 111-311.

5 4. *Enforcement — penalties.*

6 a. If the commission has reasonable belief that a video
7 streaming service is in violation of subsection 2, the commission
8 shall have the sole authority to bring a civil action to provide
9 for all of the following:

10 (1) Enjoin further violations by the video streaming service.

11 (2) Enforce compliance with this chapter.

12 (3) Seek civil penalties in an amount of not more than five
13 hundred dollars for each violation of this section. For purposes
14 of this subsection, each day a violation of subsection 2 occurs
15 shall be a separate violation.

16 b. If the commission notifies a video streaming service of
17 complaints in violation of this section, the video streaming
18 service may demonstrate compliance by doing any of the following:

19 (1) Providing evidence of actual compliance with this
20 section.

21 (2) Providing evidence of ongoing compliance with the most
22 recently published recommended practices provided by the advanced
23 television systems committee.

24 5. *Private right of action.* This section shall not be
25 construed to create a private right of action.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill relates to the audio volume level of commercial
30 advertisements provided by a video streaming service.

31 Under the bill, on and after July 1, 2026, a video streaming
32 service that serves a consumer residing in Iowa shall not
33 transmit to such consumer a commercial advertisement with a
34 higher average audio volume level that is louder than the average
35 audio volume level of the video programming or video content that

1 the commercial advertisement accompanies.

2 The bill defines "video streaming service" as an entity
3 that makes available directly to a consumer, through a
4 distribution method using internet protocol, video programming
5 or video content. "Video streaming service" does not include
6 a television broadcast station, cable operator, or other
7 multichannel video programming distributor, or an entity that
8 provides commercial-free video programming or video content.
9 "Video programming" is defined in the bill, and does not include
10 "consumer-generated media", as that term is defined in the bill.

11 The bill shall be enforced consistent with federal
12 communications commission regulations regarding the federal
13 Commercial Advertisement Loudness Mitigation Act.

14 If the utilities commission (commission) has reasonable belief
15 that a video streaming service violated or is violating the
16 bill, the commission may bring civil action to enjoin further
17 violations, enforce compliance with the bill, and seek civil
18 penalties in an amount of not more than \$500 for each violation.
19 Each day that a video streaming service is in violation of the
20 bill is a separate violation.

21 When the commission notifies a video streaming service of
22 complaints in violation of the bill, the video streaming service
23 may show compliance by demonstrating actual compliance with
24 the bill, or by showing ongoing compliance with the most
25 recently published recommended practices provided by the advanced
26 television systems committee.

27 The bill shall not be construed to create a private right of
28 action.