

Senate Study Bill 3012 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TECHNOLOGY BILL BY
CHAIRPERSON McCLINTOCK)

A BILL FOR

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

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

10 a. "Consumer-generated media" means content, including video,
11 audio, and multimedia, created and made available by consumers to
12 internet sites or services on the internet.

13 b. "Video programming" means programming by, or generally
14 considered comparable to programming provided by, a television
15 broadcast station. "Video programming" does not include
16 consumer-generated media.

17 c. (1) "Video streaming service" means an entity that makes
18 available directly to the consumer, through a distribution method
19 that uses internet protocol, any of the following:

20 (a) Video programming.

21 (b) Video content.

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

26 2. *Advertisement volume.* On and after July 1, 2026, a video
27 streaming service that serves a consumer residing in this state
28 shall not transmit to the consumer a commercial advertisement
29 at an audio volume louder than the audio volume of the video
30 programming or video content the advertisement accompanies.

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

35 4. *Enforcement — penalties.*

1 a television broadcast station, cable operator, or other
2 multichannel video programming distributor, or an entity that
3 provides commercial-free video programming or video content.

4 "Video programming" is defined in the bill, and does not include
5 "consumer-generated media", as that term is defined in the bill.

6 The bill shall be enforced consistent with federal
7 communications commission regulations regarding the federal
8 Commercial Advertisement Loudness Mitigation Act.

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

16 When the commission notifies a video streaming service of
17 complaints in violation of the bill, the video streaming service
18 may show compliance by demonstrating actual compliance with
19 the bill, or by showing ongoing compliance with the most
20 recently published recommended practices provided by the advanced
21 television systems committee.

22 The bill shall not be construed to create a private right of
23 action.