

Senate File 2294 - Introduced

SENATE FILE 2294
BY COMMITTEE ON TECHNOLOGY

(SUCCESSOR TO SSB 3012)

A BILL FOR

1 An Act relating to the audio volume 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:

1 Section 1. Section 474.1, subsection 4, Code 2026, is
2 amended 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. Section 476.95, subsection 3, Code 2026, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *h.* Any authority of the commission over
9 the audio volume of commercials provided by video streaming
10 services pursuant to chapter 477B.

11 Sec. 3. NEW SECTION. **477B.1 Video streaming services —**
12 **audio volume of commercials.**

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

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

18 *b.* "*Multichannel video programming distributor*" does not
19 include an entity that distributes video programming or video
20 content using internet protocol.

21 *c.* "*Video programming*" means programming by, or generally
22 considered comparable to programming provided by, a television
23 broadcast station. "*Video programming*" does not include
24 consumer-generated media.

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

28 (a) Video programming.

29 (b) Video content.

30 (2) "*Video streaming service*" does not include a television
31 broadcast station, cable operator, or other multichannel video
32 programming distributor, or an entity that provides video
33 programming or video content without commercial advertisements.

34 2. *Advertisement volume.* On and after July 1, 2026, a video
35 streaming service shall not transmit to a consumer within this

1 state a commercial advertisement at an audio volume louder than
2 the audio volume of the video programming or video content the
3 advertisement accompanies.

4 3. *Enforcement — penalties.*

5 a. If the commission has reasonable belief that a video
6 streaming service is in violation of subsection 2, the
7 commission shall have the sole authority to enforce this
8 chapter, including all of the following:

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

11 (2) Enforce compliance with this chapter.

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

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

22 (2) Providing evidence of ongoing compliance with the
23 standards adopted by the commission.

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

26 5. *Commission powers and duties.*

27 a. Video streaming services subject to this chapter are
28 subject to complaints and investigations by the commission.

29 b. Video streaming services shall be subject to such rules
30 as the commission may prescribe in order to carry out its
31 authority under this chapter.

32 c. In order to carry out the duties imposed by this section,
33 the commission may, at its discretion, allocate and charge
34 directly the expenses attributable to its duties to the persons
35 or entities subject to proceedings carried out in accordance

1 with this section.

2

EXPLANATION

3

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

4

5 This bill relates to the audio volume of commercial
6 advertisements provided by a video streaming service.

7 Under the bill, on and after July 1, 2026, a video streaming
8 service is prohibited from transmitting to a consumer in Iowa a
9 commercial advertisement with an audio volume that is louder
10 than the audio volume of the video programming or video content
11 that the commercial advertisement accompanies.

12 The bill defines "video streaming service" as an entity
13 that makes available directly to a consumer, through a
14 distribution method using internet protocol, video programming
15 or video content. "Video streaming service" does not include
16 a television broadcast station, cable operator, or other
17 multichannel video programming distributor, or an entity that
18 provides commercial-free video programming or video content.
19 "Video programming" is defined in the bill, and does not
20 include "consumer-generated media", as that term is defined in
21 the bill.

22 If the utilities commission (commission) has reasonable
23 belief that a video streaming service violated or is violating
24 the bill, the commission may enforce the bill by enjoining
25 further violations, enforcing compliance with the bill, and
26 seeking civil penalties in an amount of not more than \$500 for
27 each violation. Each day that a video streaming service is in
28 violation of the bill is a separate violation.

29 When the commission notifies a video streaming service
30 of complaints in violation of the bill, the video streaming
31 service may show compliance by demonstrating actual compliance
32 with the bill, or by showing ongoing compliance with standards
33 adopted by the commission.

34 The bill shall not be construed to create a private right of
35 action.

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1 The bill provides that streaming services subject to the
2 bill are subject to complaints and investigations by the
3 commission and rules adopted by the commission. The bill
4 authorizes the commission to allocate and charge directly the
5 expenses attributable to proceedings carried out under the
6 bill.