

Senate File 554 - Reprinted

SENATE FILE _____
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 368)
(SUCCESSOR TO SSB 1208)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to franchises for the provision of cable service
2 or video service including providing for fees and providing an
3 effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2128SZ 82
6 rn/cf/24

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1 1 Section 1. PURPOSE. It is the purpose of this Act to
1 2 encourage competition in the provision of cable service and
1 3 video service in this state, to encourage new providers of
1 4 cable service and video service, and to provide consumers
1 5 additional choices in cable service and video service.
1 6 Sec. 2. NEW SECTION. 477A.1 DEFINITIONS.
1 7 As used in this chapter, unless the context otherwise
1 8 requires:
1 9 1. "Board" means the utilities board within the utilities
1 10 division of the department of commerce.
1 11 2. "Cable operator" means the same as defined in 47 U.S.C.
1 12 } 522.
1 13 3. "Cable service" means the same as defined in 47 U.S.C.
1 14 } 522.
1 15 4. "Cable system" means the same as defined in 47 U.S.C. }
1 16 522.
1 17 5. "Competitive cable service provider" means a person who
1 18 provides cable service over a cable system in an area other
1 19 than the incumbent cable provider providing service in the
1 20 same area.
1 21 6. "Competitive video service provider" means a person who
1 22 provides video service other than a cable operator.
1 23 7. "Franchise" means an initial authorization, or renewal
1 24 of an authorization, issued by the board or a municipality,
1 25 regardless of whether the authorization is designated as a
1 26 franchise, permit, license, resolution, contract, certificate,
1 27 agreement, or otherwise, that authorizes the construction and
1 28 operation of a cable system or video service provider's
1 29 network in a public right-of-way.
1 30 8. a. "Gross revenues" means all consideration of any
1 31 kind or nature, including but not limited to cash, credits,
1 32 property, and in-kind contributions received from subscribers
1 33 for the provision of cable service over a cable system by a
1 34 competitive cable service provider or for the provision of
1 35 video service by a competitive video service provider within a
2 1 municipality's jurisdiction.
2 2 b. "Gross revenues" does not include any of the following:
2 3 (1) Revenues not actually received, even if billed,
2 4 including bad debt.
2 5 (2) Revenues received by any affiliate or any other person
2 6 in exchange for supplying goods or services used by the person
2 7 providing cable service or video service.
2 8 (3) Refunds, rebates, or discounts made to third parties,
2 9 including subscribers, leased access providers, advertisers,
2 10 or any municipality or other unit of local government.
2 11 (4) Regardless of whether the services are bundled,
2 12 packaged, or functionally integrated with cable service or
2 13 video service, any revenues derived by the holder of a
2 14 certificate of franchise authority from services not
2 15 classified as cable service or video service, including,
2 16 without limitation, revenue received from telecommunications

2 17 services, revenue received from information services, revenue
2 18 received in connection with advertising, revenue received in
2 19 connection with home-shopping services, or any other revenues
2 20 attributed by the competitive cable service provider or
2 21 competitive video service provider to noncable service or
2 22 nonvideo service in accordance with the holder's books and
2 23 records kept in the regular course of business and any
2 24 applicable rules, regulations, standards, or orders.

2 25 (5) Revenues paid by subscribers to home-shopping
2 26 programmers directly from the sale of merchandise through any
2 27 home-shopping channel offered as part of the cable services or
2 28 video services.

2 29 (6) Revenues from the sale of cable services or video
2 30 services for resale in which the purchaser is required to
2 31 collect the franchise fee from the purchaser's customer.

2 32 (7) Revenues from any tax of general applicability imposed
2 33 upon the competitive cable service provider or competitive
2 34 video service provider or upon subscribers by a city, state,
2 35 federal, or any other governmental entity and required to be
3 1 collected by the competitive cable service provider or
3 2 competitive video service provider and remitted to the taxing
3 3 entity, including but not limited to sales or use tax, gross
3 4 receipts tax, excise tax, utility users tax, public service
3 5 tax, and communication taxes, and including the franchise fee
3 6 imposed under section 477A.7.

3 7 (8) Revenues forgone from the provision of cable services
3 8 or video services to public institutions, public schools, or
3 9 governmental entities at no charge.

3 10 (9) Revenues foregone from the competitive cable service
3 11 provider's or competitive video service provider's provision
3 12 of free or reduced-cost video service to any person,
3 13 including, without limitation, any municipality and other
3 14 public institutions or other institutions.

3 15 (10) Revenues from sales of capital assets or sales of
3 16 surplus equipment.

3 17 (11) Revenues from reimbursements by programmers of
3 18 marketing costs incurred by the competitive cable service
3 19 provider or competitive video service provider for the
3 20 introduction or promotion of new programming.

3 21 (12) Directory or internet advertising revenues including
3 22 but not limited to yellow page, white page, banner
3 23 advertisement, and electronic publishing.

3 24 (13) Copyright fees paid to the United States copyright
3 25 office.

3 26 9. "Incumbent cable provider" means the cable operator
3 27 serving the largest number of cable subscribers in a
3 28 particular franchise service area on July 1, 2007.

3 29 10. "Municipality" means a county or city.

3 30 11. "Percentage of gross revenues" means the percentage
3 31 set by the municipality and identified in a written request
3 32 made under section 477A.7, subsection 1, which shall be not
3 33 greater than the most recent percentage paid by the incumbent
3 34 cable provider as a franchise fee or five percent, whichever
3 35 is less. However, if the incumbent cable provider is a
4 1 municipal utility providing telecommunications services under
4 2 section 388.10, "percentage of gross revenues" means the
4 3 percentage set by the municipality and identified in a written
4 4 request made under section 477A.7, subsection 1, which shall
4 5 not be greater than an equitable apportionment of the services
4 6 and fees that the municipal utility pays to the municipality,
4 7 or five percent, whichever is less.

4 8 12. "Public right-of-way" means the area on, below, or
4 9 above a public roadway, highway, street, bridge, cartway,
4 10 bicycle lane, or public sidewalk in which the municipality has
4 11 an interest, including other dedicated rights-of-way for
4 12 travel purposes and utility easements. "Public right-of-way"
4 13 does not include the airwaves above a public right-of-way with
4 14 regard to cellular or other nonwire telecommunications or
4 15 broadcast services or utility poles owned by a municipality or
4 16 a municipal utility.

4 17 13. "Video programming" means the same as defined in 47
4 18 U.S.C. } 522.

4 19 14. "Video service" means video programming services
4 20 provided through wireline facilities located at least in part
4 21 in the public right-of-way without regard to delivery
4 22 technology, including internet protocol technology. "Video
4 23 service" does not include any video programming provided by a
4 24 provider of commercial mobile service as defined in 47 U.S.C.
4 25 } 332, or cable service provided by an incumbent cable
4 26 provider or a competitive cable service provider or any video
4 27 programming provided solely as part of, and via, a service

4 28 that enables users to access content, information, electronic
4 29 mail, or other services offered over the public internet.

4 30 Sec. 3. NEW SECTION. 477A.2 CERTIFICATE OF FRANCHISE
4 31 AUTHORITY REQUIREMENT.

4 32 1. After July 1, 2007, a person providing cable service or
4 33 video service in this state shall not provide such service
4 34 without a franchise. The franchise may be issued by either
4 35 the board pursuant to section 477A.3 or by a municipality
5 1 pursuant to section 364.2.

5 2 2. a. A person providing cable service or video service
5 3 under a franchise agreement with a municipality prior to July
5 4 1, 2007, is not subject to this section with respect to such
5 5 municipality until the franchise agreement expires or is
5 6 converted pursuant to subsection 6.

5 7 b. Upon expiration of a franchise, a person may choose to
5 8 renegotiate a franchise agreement with a municipality or may
5 9 choose to obtain a certificate of franchise authority under
5 10 this chapter.

5 11 c. A municipal utility that provides cable service or
5 12 video service in this state is not subject to this section and
5 13 shall not be required to obtain a certificate of franchise
5 14 authority pursuant to this chapter in the municipality in
5 15 which the provision of cable service or video service by that
5 16 municipality was originally approved.

5 17 3. For purposes of this section, a person providing cable
5 18 service or video service is deemed to have executed a
5 19 franchise agreement to provide cable service or video service
5 20 with a specific municipality if an affiliate or predecessor of
5 21 the person providing cable service or video service has or had
5 22 executed an unexpired franchise agreement with that
5 23 municipality as of the effective date of this Act.

5 24 4. A competitive cable service provider or competitive
5 25 video service provider shall provide at least thirty days'
5 26 notice to each municipality with authority to grant a
5 27 franchise in the service area in which the competitive cable
5 28 service provider or competitive video service provider is
5 29 granted authority to provide service under a certificate of
5 30 franchise authority that the competitive cable service
5 31 provider or competitive video service provider offers or
5 32 intends to offer cable services or video services within the
5 33 jurisdiction of the municipality.

5 34 5. As used in this section, "affiliate" includes but is
5 35 not limited to a person that directly, or indirectly through
6 1 one or more intermediaries, controls, is controlled by, or is
6 2 under common control with a person receiving, obtaining, or
6 3 operating under a franchise agreement with a municipality to
6 4 provide cable service or video service through merger, sale,
6 5 assignment, restructuring, or any other type of transaction.

6 6 6. If a competitive cable service provider or competitive
6 7 video service provider applies for a certificate of franchise
6 8 authority to operate within a municipality, an incumbent cable
6 9 provider with an existing franchise agreement with the
6 10 municipality, upon written notification to the municipality,
6 11 may convert the franchise under the agreement with the
6 12 municipality into a certificate of franchise authority under
6 13 the board. The certificate of franchise authority shall
6 14 supersede the terms and conditions of the franchise previously
6 15 granted by the municipality. The franchise agreement with the
6 16 municipality is terminated on the date the board issues the
6 17 certificate of franchise authority to the incumbent cable
6 18 operator converting the franchise.

6 19 Sec. 4. NEW SECTION. 477A.3 APPLICATION REQUIREMENTS ==
6 20 CERTIFICATE OF FRANCHISE AUTHORITY.

6 21 1. The board shall issue a certificate of franchise
6 22 authority under this chapter within fifteen business days
6 23 after receipt of a completed application and affidavit
6 24 submitted by the applicant and signed by an officer or general
6 25 partner of the applicant. The application and affidavit shall
6 26 provide all of the following information:

6 27 a. That the applicant has filed or will timely file with
6 28 the federal communications commission all forms required by
6 29 the commission in advance of offering cable service or video
6 30 service in this state.

6 31 b. That the applicant agrees to comply with all applicable
6 32 federal and state statutes, regulations, and rules.

6 33 c. That the applicant agrees to comply with all applicable
6 34 state laws and municipal ordinances and regulations regarding
6 35 the use and occupation of a public right-of-way in the
7 1 delivery of the cable service or video service, to the extent
7 2 consistent with this chapter, including the police powers of
7 3 the municipalities in which the service is delivered.

7 4 d. A description of the service area to be served and the
7 5 municipalities to be served by the applicant which may include
7 6 certain designations of unincorporated areas. This
7 7 description shall be updated by the applicant prior to the
7 8 expansion of cable service or video service to a previously
7 9 undesignated service area and, upon such expansion, notice
7 10 shall be given to the board of the service area to be served
7 11 by the applicant.

7 12 e. The address of the applicant's principal place of
7 13 business and the names of the applicant's principal executive
7 14 officers.

7 15 2. The failure of the board to notify the applicant of the
7 16 completeness of the applicant's affidavit or issue a
7 17 certificate of franchise authority before the fifteenth
7 18 business day after receipt of a completed affidavit shall
7 19 constitute issuance of the certificate of franchise authority
7 20 applied for by the applicant without further action by the
7 21 applicant.

7 22 3. The certificate of franchise authority issued by the
7 23 board shall contain all of the following:

7 24 a. A grant of authority to provide cable service or video
7 25 service in the service area designated in the application.

7 26 b. A grant of authority to use and occupy the public
7 27 right-of-way in the delivery of cable service or video
7 28 service, subject to the laws of this state, including the
7 29 police powers of the municipalities in which the service is
7 30 delivered.

7 31 c. A statement that the grant of authority provided by the
7 32 certificate is subject to the lawful operation of the cable
7 33 service or video service by the applicant or the applicant's
7 34 successor.

7 35 d. A statement that the franchise is for a term of ten
8 1 years, is renewable under the terms of this section, and is
8 2 nonexclusive.

8 3 4. A certificate of franchise authority issued by the
8 4 board is fully transferable to any successor of the applicant
8 5 to which the certificate was initially issued. A notice of
8 6 transfer shall be filed by the holder of the certificate of
8 7 franchise authority with the board and the affected
8 8 municipality within fourteen business days of the completion
8 9 of the transfer of the certificate of franchise authority.
8 10 Neither the board nor an affected municipality shall have
8 11 authority to review or require approval of such transfer.

8 12 5. The certificate of franchise authority issued by the
8 13 board may be terminated by a person providing cable service or
8 14 video service by submitting written notice to the board and
8 15 any affected municipality. Neither the board nor an affected
8 16 municipality shall have authority to review or require
8 17 approval of such termination.

8 18 6. The board shall only have the authorization to issue a
8 19 certificate of franchise authority as provided in this
8 20 section, and shall not impose any additional requirements or
8 21 regulations upon an applicant.

8 22 Sec. 5. NEW SECTION. 477A.4 APPLICABILITY TO FEDERAL
8 23 LAW.

8 24 To the extent required by applicable law, a certificate of
8 25 franchise authority issued under this chapter shall constitute
8 26 a "franchise" for the purposes of 47 U.S.C. } 541(b)(1). To
8 27 the extent required for the purposes of 47 U.S.C. } 521=561,
8 28 only the state of Iowa shall constitute the exclusive
8 29 franchising authority for competitive cable service providers
8 30 and competitive video service providers in this state.

8 31 Sec. 6. NEW SECTION. 477A.5 MUNICIPALITY RESTRICTIONS.

8 32 1. A municipality shall not require a holder of a
8 33 certificate of franchise authority to do any of the following:

8 34 a. Comply with a mandatory build-out provision.

8 35 b. Obtain a separate franchise.

9 1 c. Pay any additional fees, except as provided in this
9 2 chapter.

9 3 d. Be subject to any additional franchise requirement by
9 4 the municipality, except as provided in this chapter.

9 5 2. For purposes of this section, a "franchise requirement"
9 6 includes any provision regulating rates or requiring build-out
9 7 requirements to deploy any facilities or equipment.

9 8 3. Section 364.2 shall not apply to a holder of a
9 9 certificate of franchise authority issued pursuant to this
9 10 chapter.

9 11 Sec. 7. NEW SECTION. 477A.6 PUBLIC, EDUCATIONAL, AND
9 12 GOVERNMENTAL ACCESS CHANNELS.

9 13 1. Not later than one hundred eighty days after a request
9 14 by a municipality in which a competitive cable service

9 15 provider or a competitive video service provider is providing
9 16 cable service or video service, the holder of the certificate
9 17 of authority for that municipality shall designate a
9 18 sufficient amount of capacity on the certificate holder's
9 19 communications network to allow the provision of a comparable
9 20 number of public, educational, and governmental channels that
9 21 the incumbent cable provider in the municipality has activated
9 22 and provided in the municipality under the terms of a
9 23 franchise agreement with a municipality prior to July 1, 2007.
9 24 If no such channels are active, the municipality may request a
9 25 maximum of three public, educational, and governmental
9 26 channels for a municipality with a population of at least
9 27 fifty thousand, and a maximum of two public, educational, and
9 28 governmental channels for a municipality with a population of
9 29 less than fifty thousand.

9 30 a. The public, educational, and governmental content to be
9 31 provided pursuant to this section and the operation of the
9 32 public, educational, and governmental channels shall be the
9 33 responsibility of the municipality receiving the benefit of
9 34 such capacity. The holder of a certificate of franchise
9 35 authority shall be responsible only for the transmission of
10 1 such content, subject to technological restraints.

10 2 b. The municipality receiving capacity under this section
10 3 shall ensure that all transmissions, content, or programming
10 4 to be transmitted by the holder of the certificate of
10 5 franchise authority are provided or submitted to the
10 6 competitive cable service provider or competitive video
10 7 service provider in a manner or form that is capable of being
10 8 accepted and transmitted by the competitive cable service
10 9 provider or competitive video service provider, without
10 10 requirement for additional alteration or change in the
10 11 content, over the particular network of the competitive cable
10 12 service provider or competitive video service provider, which
10 13 is compatible with the technology or protocol utilized by the
10 14 competitive cable service provider or competitive video
10 15 service provider to deliver services. The provision of such
10 16 transmissions, content, or programming to the competitive
10 17 cable service provider or competitive video service provider
10 18 shall constitute authorization for such holder to carry such
10 19 transmissions, content, or programming, at the holder's
10 20 option, beyond the jurisdictional boundaries stipulated in any
10 21 franchise agreement.

10 22 2. Where technically feasible, a competitive cable service
10 23 provider or competitive video service provider that is a
10 24 holder of a certificate of franchise authority and an
10 25 incumbent cable provider shall use reasonable efforts to
10 26 interconnect the cable or video communications network systems
10 27 of the certificate holder and incumbent cable provider for the
10 28 purpose of providing public, educational, and governmental
10 29 programming. Interconnection may be accomplished by direct
10 30 cable, microwave link, satellite, or other reasonable method
10 31 of connection. A holder of a certificate of franchise
10 32 authority and an incumbent cable provider shall negotiate in
10 33 good faith and an incumbent cable provider shall not withhold
10 34 interconnection of public, educational, or governmental
10 35 channels.

11 1 3. A court of competent jurisdiction shall have exclusive
11 2 jurisdiction to enforce any requirement under this section.

11 3 Sec. 8. NEW SECTION. 477A.7 FEES == FINANCIAL SUPPORT.

11 4 1. a. In any service area in which a competitive cable
11 5 service provider or a competitive video service provider
11 6 holding a certificate of franchise authority offers or
11 7 provides cable service or video service, the competitive cable
11 8 service provider or competitive video service provider shall
11 9 calculate and pay a franchise fee to the municipality with
11 10 authority to grant a certificate of franchise authority in
11 11 that service area upon the municipality's written request. If
11 12 the municipality makes such a request, the franchise fee shall
11 13 be due and paid to the municipality on a quarterly basis, not
11 14 later than forty-five days after the close of the quarter, and
11 15 shall be calculated as a percentage of gross revenues. The
11 16 municipality shall not demand any additional franchise fees
11 17 from the competitive cable service provider or competitive
11 18 video service provider, and shall not demand the use of any
11 19 other calculation method for the franchise fee.

11 20 b. Upon the expiration of an existing franchise agreement,
11 21 if the incumbent cable provider elects to possess a
11 22 certificate of franchise authority, the incumbent cable
11 23 provider shall pay a franchise fee to the municipality in an
11 24 amount equal to the same percent of gross revenues as had been
11 25 assessed immediately prior to the termination of the incumbent

11 26 cable operator's franchise.
11 27 c. A provider who is both a competitive cable service
11 28 provider and a competitive video service provider shall be
11 29 subject to and only be required to pay one franchise fee to a
11 30 municipality under this subsection regardless of whether the
11 31 provider provides both cable service and video service.
11 32 d. At the request of a municipality and not more than once
11 33 per year, an independent auditor may perform reasonable audits
11 34 of the competitive cable service provider's or competitive
11 35 video service provider's calculation of the franchise fee
12 1 under this subsection. The municipality shall bear the costs
12 2 of any audit requested pursuant to this subsection, unless the
12 3 audit discloses that the competitive cable service provider or
12 4 competitive video service provider has underpaid franchise
12 5 fees by more than eight percent, in which case the competitive
12 6 cable service provider or competitive video service provider
12 7 shall pay all of the reasonable and actual costs of the audit.
12 8 e. A competitive cable service provider or competitive
12 9 video service provider may identify and collect the amount of
12 10 the franchise fee as a separate line item on the regular bill
12 11 of each subscriber.
12 12 2. A municipality may require a competitive cable service
12 13 provider or competitive video service provider to pay a permit
12 14 fee for the purpose of the construction of facilities within
12 15 public rights-of-way if the municipality imposes the same
12 16 permit fee on the incumbent cable provider, and any permit fee
12 17 shall not exceed the actual, direct costs incurred by the
12 18 municipality for issuing the relevant permit. In no event may
12 19 a permit fee under this subsection be levied under any of the
12 20 following circumstances:
12 21 a. If the competitive cable service provider or
12 22 competitive video service provider already has paid a permit
12 23 fee of any kind in connection with the same activity that
12 24 would otherwise be covered by the permit fee under this
12 25 subsection or is otherwise authorized by law or contract to
12 26 place the facilities used by the competitive cable service
12 27 provider or competitive video service provider in the public
12 28 right-of-way.
12 29 b. For general revenue purposes.
12 30 3. If an incumbent cable provider pays any fee to a
12 31 municipality for public, educational, and governmental access
12 32 channels, any subsequent holder of a certificate of franchise
12 33 authority that includes that municipality shall pay this fee
12 34 at the same rate during the remaining term of the existing
12 35 franchise agreement with the municipality. All fees collected
13 1 pursuant to this subsection shall be used only for the support
13 2 of the public, educational, and governmental access channels.
13 3 4. If an incumbent cable provider provides support for an
13 4 institutional network for the purposes of police and fire
13 5 communications and educational institutional support, any
13 6 subsequent holder of a certificate of franchise authority
13 7 shall provide support on a pro rata basis per customer. Any
13 8 financial support provided for an institutional network shall
13 9 only be for the ongoing support of the existing institutional
13 10 network. This subsection shall be applicable only to a
13 11 competitive cable service provider's or competitive video
13 12 service provider's first certificate of franchise authority
13 13 issued under this chapter, and shall not apply to any
13 14 subsequent renewals.
13 15 Sec. 9. NEW SECTION. 477A.8 CUSTOMER SERVICE STANDARDS.
13 16 1. The holder of a certificate of franchise authority
13 17 shall comply with customer service requirements consistent
13 18 with those contained in 47 C.F.R. } 76.309.
13 19 2. The holder of a certificate of franchise authority
13 20 shall implement an informal process for handling inquiries
13 21 from municipalities and customers concerning billing events,
13 22 service issues, and other complaints. If an issue is not
13 23 resolved through this informal process, a municipality may
13 24 request a confidential nonbinding mediation with the holder of
13 25 a certificate of franchise authority, with the costs of such
13 26 mediation to be shared equally between the municipality and
13 27 the holder of a certificate of franchise authority.
13 28 Sec. 10. NEW SECTION. 477A.9 NONDISCRIMINATION BY
13 29 MUNICIPALITY.
13 30 1. A municipality shall allow the holder of a certificate
13 31 of franchise authority to install, construct, and maintain a
13 32 communications network within a public right-of-way and shall
13 33 provide the holder of a certificate of franchise authority
13 34 with open, comparable, nondiscriminatory, and competitively
13 35 neutral access to the public right-of-way.
14 1 2. A municipality shall not discriminate against the

14 2 holder of a certificate of franchise authority in providing
14 3 access to a municipal building or through a municipal utility
14 4 pole attachment term.
14 5 Sec. 11. NEW SECTION. 477A.10 PROVIDER DISCRIMINATION
14 6 PROHIBITED.
14 7 1. The purpose of this section is to prevent
14 8 discrimination among potential residential subscribers.
14 9 2. A competitive cable service provider or competitive
14 10 video service provider holding a certificate of franchise
14 11 authority shall not deny access to any group of potential
14 12 residential subscribers because of the income of residents in
14 13 the local area in which such group resides.
14 14 3. A video service provider operating under a certificate
14 15 of franchise authority that is using telecommunication
14 16 facilities to provide video services and has more than five
14 17 hundred thousand telecommunication access lines in this state
14 18 shall extend its system to a potential subscriber, at no cost
14 19 to the potential subscriber, if all of the following criteria
14 20 are met:
14 21 a. The potential subscriber is located within its
14 22 authorized service area.
14 23 b. At least two hundred fifty dwelling units are located
14 24 within four thousand feet of a remote terminal.
14 25 c. These dwelling units do not have cable or video service
14 26 available from another cable service provider or video service
14 27 provider.
14 28 This subsection shall be applicable only after the first
14 29 date on which the video service provider operating under a
14 30 certificate of franchise authority is providing cable service
14 31 or video service to more than fifty percent of all cable and
14 32 video subscribers receiving cable or video service from the
14 33 holders of certificates of franchise authority and any other
14 34 providers of cable or video services operating under franchise
14 35 agreements with a municipality.
15 1 Sec. 12. NEW SECTION. 477A.11 APPLICABILITY OF OTHER
15 2 LAW.
15 3 1. This chapter is intended to be consistent with the
15 4 federal Cable Act, 47 U.S.C. } 521 et seq.
15 5 2. Except as otherwise stated in this chapter, this
15 6 chapter shall not be interpreted to prevent a competitive
15 7 cable service provider, competitive video service provider,
15 8 municipality, or other provider of cable service or video
15 9 service from seeking clarification of any rights and
15 10 obligations under federal law or to exercise any right or
15 11 authority under federal or state law.
15 12 Sec. 13. NEW SECTION. 477A.12 RULES.
15 13 The board shall adopt rules necessary to administer this
15 14 chapter.
15 15 Sec. 14. EFFECTIVE DATE. This Act, being deemed of
15 16 immediate importance, takes effect upon enactment.
15 17 SF 554
15 18 rn:rj/cc/26