ENROLLED SENATE
BILL NO. 1697

By: Coffee, Gumm and Corn of the Senate

and

Cargill, Banz, Wesselhoft and Winchester of the House

An Act relating to cable television systems; amending 11 O.S. 2001, Section 22-107.1, which relates to granting of franchises for cable television systems; allowing municipalities to make certain requirements in awarding initial or renewal franchises; allowing operators to provide certain services; providing construction; defining term; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2001, Section 22-107.1, is amended to read as follows:

Section 22-107.1 A. A municipality may by ordinance or otherwise issue a certificate, license or permit, for the operation of a cable television system. A municipality may establish such certificate, license or permit requirements as it deems appropriate in the exercise of its police power. Any certificate, license or permit issued by the governing body shall be nonexclusive and shall not exceed a period of twenty-five (25) years and may be revocable by the governing body if said body determines that the holder of the certificate, license or permit has willfully failed or neglected to perform duties pursuant to the terms of the grant of the certificate, license or permit. A certificate, license or permit may be assigned or transferred subject to approval of the governing body of the municipality. Nothing herein shall limit the authority of a municipality to comply with state or federal law.

B. No municipality shall grant any overlapping certificate, license, permit or franchise for cable television service within its jurisdiction on terms or conditions more favorable or less burdensome than those in any existing certificate, license, permit or franchise within such municipality.

C. No municipal provisions regulating a cable television system may be adopted which are inconsistent with either state or federal law relating to cable television operations.

D. In awarding or renewing a cable television franchise, a municipality may require adequate assurance that the cable operator will provide adequate public, educational, and governmental access

channel capacity, facilities or financial support. A cable operator may, at its sole option, provide a "family friendly" tier of video services in lieu of channel capacity, facilities, or financial support for public access as a condition of any franchise or renewal thereof. Nothing herein shall affect any channel capacity, facilities, or financial support for educational or governmental access contained in any franchise or renewal thereof.

E. A "family friendly" tier of services is a group of channels, offered to customers pursuant to FCC regulations, that primarily contains programming with a television viewing rating of TV-Y, TV-Y7 or TV-G.

SECTION 2. This act shall become effective November 1, 2006.

Passed the Senate the 9th day of May, 2006.

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Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2006.

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Presiding Officer of the House
of Representatives