

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2455

By: Lockhart

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5  
6 AS INTRODUCED

7 An Act relating to cable television services;  
8 amending 11 O.S. 2011, Section 22-107.1, which  
9 relates to cable television systems; authorizing a  
10 municipality to require a cable operator to carry the  
11 signal of certain local commercial television  
12 stations; allowing the cable operator to carry the  
13 signal of certain additional stations; defining term;  
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 11 O.S. 2011, Section 22-107.1, is  
17 amended to read as follows:

18 Section 22-107.1 A. A municipality may by ordinance or  
19 otherwise issue a certificate, license or permit, for the operation  
20 of a cable television system. A municipality may establish such  
21 certificate, license or permit requirements as it deems appropriate  
22 in the exercise of its police power. Any certificate, license or  
23 permit issued by the governing body shall be nonexclusive and shall  
24 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

1 certificate, license or permit has willfully failed or neglected to  
2 perform duties pursuant to the terms of the grant of the  
3 certificate, license or permit. A certificate, license or permit  
4 may be assigned or transferred subject to approval of the governing  
5 body of the municipality. Nothing herein shall limit the authority  
6 of a municipality to comply with state or federal law.

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

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

15 D. In awarding or renewing a cable television franchise, a  
16 municipality may require adequate assurance that the cable operator  
17 will provide adequate public, educational, and governmental access  
18 channel capacity, facilities or financial support. A cable operator  
19 may, at its sole option, provide a "family friendly" tier of video  
20 services in lieu of channel capacity, facilities, or financial  
21 support for public access as a condition of any franchise or renewal  
22 thereof. Nothing herein shall affect any channel capacity,  
23 facilities, or financial support for educational or governmental  
24 access contained in any franchise or renewal thereof.

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

5 F. In awarding or renewing a cable television franchise, a  
6 municipality may require adequate assurance that the cable operator  
7 will carry the signal of a local commercial television station or  
8 local commercial television station affiliated with a broadcast  
9 network whose city of license reference point, as defined in 47  
10 C.F.R., Section 76.53 or any successor regulation, is located in  
11 this state. The cable operator may, at its sole option, also carry  
12 the signal of a local commercial television station or local  
13 commercial television station affiliated with a broadcast network  
14 whose city of license reference point is located outside the state  
15 in addition to the signal of the station located in the state.

16 G. For purposes of this section, a "local commercial television  
17 station" means any full-power television broadcast station, other  
18 than a qualified noncommercial educational television station as  
19 defined by federal law, licensed and operating on a channel  
20 regularly assigned to its community by the Federal Communications  
21 Commission, whether or not the station is within the same television  
22 market as the cable system.

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SECTION 2. This act shall become effective November 1, 2012.

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