

Hall of the House of Representatives

94th General Assembly - Regular Session, 2023

Amendment Form

Subtitle of House Bill No. 1338

TO AMEND THE ARKANSAS VIDEO SERVICE ACT; AND TO PROVIDE CLARITY CONCERNING THE
USE OF A PUBLIC RIGHT OF WAY.

Amendment No. 1 to House Bill 1338

Amend House Bill No. 1338 as originally introduced:

Add Senator J. Bryant as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 23-19-202(15), concerning the definition of "video service" used under the Arkansas Video Service Act, is amended to read as follows:

(15)(A) "Video service" means the delivery of video programming by a video service provider to subscribers in which:

(i) The video programming is generally considered comparable to video programming delivered to viewers by a television broadcast station, cable service, or digital television service, without regard to the technology used to deliver the video service, including ~~Internet~~ internet protocol technologies; and

(ii) The service is provided primarily through equipment or facilities owned, controlled, constructed, or operated by the video service provider and located in whole or in part in, on, under, or over any public right-of-way.

(B) "Video service" includes cable service and video service delivered by a community antenna television system ~~but~~.

(C) "Video service" excludes video programming:

(i) Provided to persons:

(a) ~~in~~ In their capacity as subscribers to commercial mobile service as defined in 47 U.S.C. § 332(d), as it existed on January 1, 2013; or

(b) By means of direct-to-home satellite services as defined in 47 U.S.C. § 303(v), as it existed on January 1, 2023, that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or



(ii) ~~Provided as part of and~~ Accessed via a service that enables end users to access content, information, electronic mail, or other services offered over the public ~~Internet~~ internet, including streaming content;"

The Amendment was read _____
By: Representative B. McKenzie
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Chief Clerk