

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

433

By: Senators Bearden, Beebe, Gordon

For An Act To Be Entitled

"AN ACT TO REQUIRE FAIRNESS IN GRANTING CERTIFICATES,
LICENSES, PERMITS, OR FRANCHISES FOR CABLE TELEVISION
SYSTEMS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. As used in this Act unless the context otherwise requires:

(A) "Cable service" means:

(1) The one-way transmission to subscribers of video programming or other programming service; and

(2) Subscriber interaction, if any, which is required for the selection of such video programming or other programming service.

(B) "Cable television system" means a facility, consisting of a set of closed

transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within a community. Such term includes television signal distribution systems and television communications systems, but does not include:

(1) A facility that serves only to retransmit the television signals of

one (1) or more television broadcast stations;

(2) A facility that serves only subscribers in one (1) or more multiple

unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way;

(3) A facility of a common carrier, except that such facility shall be

considered a cable system to the extent such facility is used in the

transmission of video programming directly to subscribers; or

(4) Any facilities of any electric utility used solely for operating its electric utility systems.

SECTION 2. No municipality or county shall grant any certificate, license, permit or franchise for a cable television system 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 or county.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

