

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/13/15

A Bill

HOUSE BILL 1875

5 By: Representative Johnson
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL
9 AUTHORITY OVER INTERNET, CABLE TELEVISION, AND
10 TELEPHONE PROVIDERS; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO AMEND THE LAW CONCERNING MUNICIPAL
15 AUTHORITY OVER CERTAIN PROVIDERS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 *SECTION 1. Arkansas Code § 14-200-101(a), concerning municipal*
21 *authority and powers over utilities, is amended to read as follows:*

22 *(a) As used in this section, "public utility" means any electric*
23 *company, cable television provider, gas company, sewer company, Internet*
24 *service provider, or telephone company, and any company providing similar*
25 *services, except a company excluded from the definition of "public utility"*
26 *under § 23-1-101(9)(B)(ii), a consolidated utility district under the General*
27 *Consolidated Public Utility System Improvement District Law, § 14-217-101 et*
28 *seq., ~~and or~~ a water or light commission under § 14-201-101 et seq.*
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30 *SECTION 2. Arkansas Code § 14-200-101(b)(1)(A)(iii), concerning*
31 *franchise fees, is amended to read as follows:*

32 *(iii) A franchise fee for a utility, including a*
33 *telephone company, cable television provider, or Internet service provider*
34 *providing services other than basic ~~local-exchange~~ service, shall not exceed*
35 *the higher of the amount in effect on January 1, 1997, or ~~four and one-~~*
36 *~~quarter percent (4.25%)~~ five percent (5%), unless agreed to by the affected*



1 utility or approved by the voters of the municipality;

2
3 SECTION 3. Arkansas Code § 14-200-101(b)(1)(B), concerning franchise
4 fees, is amended to read as follows:

5 (B) Require a telephone company, cable television
6 provider, or Internet service provider providing basic ~~local-exchange~~ service
7 to pay a reasonable franchise fee not to exceed the higher of the amount of
8 the ~~telephone~~ company's franchise fee in effect on January 1, 1997, or a fee
9 equal to ~~four and one quarter percent (4.25%)~~ five percent (5%) of the
10 revenues received by the telephone company, cable television provider, or
11 Internet service provider from providing basic ~~local-exchange~~ services,
12 unless:

13 (i) A higher rate or franchise fee is approved by
14 the voters of the municipality; or

15 (ii) The telephone company, cable television
16 provider, or Internet service provider agrees to pay a higher percentage on
17 services offered in addition to basic ~~local-exchange~~ services;

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19 /s/Johnson
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