

S 1244

Community Access Preservation Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: May 7, 2015

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (May 7, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1244>

Sponsor

Name: Sen. Baldwin, Tammy [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Markey, Edward J. [D-MA]	D · MA		May 7, 2015

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	May 7, 2015

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

Community Access Preservation Act

Amends the Communications Act of 1934 to require certain cable system operators, with channel capacity for public, educational, or governmental (PEG) use that is designated by a franchising authority under existing code provisions or required to be provided under this Act, to: (1) carry PEG-use signals to subscribers without material degradation and without altering or removing content or data; (2) provide viewable signals to every cable subscriber without additional service or equipment charges; and (3) provide to the appropriate local government subdivision (LGS), free of charge, any transmission services and the use of any transmission facilities necessary to meet such requirements.

Directs such cable system operators, upon request by the appropriate LGS, to provide for: (1) the transmission of such signals in high definition format or better; and (2) the programming schedules of such signals to be present and updated on the electronic program guide of the cable operator, with the same functionality as television broadcast stations in the applicable designated market area, through the cable operator directly or through a third party vendor.

Requires a cable operator in a state adopting applicable franchising legislation that becomes effective after May 31, 2005, to: (1) owe any LGS in which the operator provides cable service during a year beginning after enactment of this Act an LGS-determined amount for such year, within specified limits, notwithstanding requirements relating to support for cable system PEG use in such state legislation; and (2) provide a certain number of channels for PEG use in an LGS, notwithstanding requirements relating to the number of PEG-use cable channels in such state legislation.

Defines "local government subdivision" (referred to above as an LGS) as a franchising authority deriving its power to grant a franchise from state or local law or an entity considered such a franchising authority as of the day before the effective date of such state legislation relating to support.

Specifies forms of support as cash payments, in-kind support, and free services provided by the cable system operator, or its predecessor, to the LGS for the cable system's PEG use.

Sets forth provisions regarding: (1) LGS or state enforcement, and (2) nonbinding mediation and court proceedings concerning disputed support amounts.

Revises the definition of "franchise fee" including by striking a provision prohibiting such a fee from including (in the case of a franchise granted after the enactment of the Cable Communications Policy Act of 1984) capital costs that the franchise requires the cable operator to incur for PEG access facilities.

Actions Timeline

- **May 7, 2015:** Introduced in Senate
- **May 7, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.

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