S T A T E O F N E W Y O R K

157

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to deeming confirmed franchise terms requirements of the public service commission

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 227-a of the public service law, as added by chapter 83 of the laws of 1995, is amended to read as follows:

1. Every cable television company, and all officers, agents and employees of any cable television company shall obey, observe and comply with every order, direction or requirement made by the commission, under authority of this article, so long as the same shall be and remain in force. THE TERMS OF A FRANCHISE WHICH HAS BEEN CONFIRMED BY THE COMMISSION SHALL, UPON THE WRITTEN REQUEST OF THE MUNICIPALITY WHICH HAS GRANTED SUCH FRANCHISE, BE DEEMED REQUIREMENTS MADE BY THE COMMISSION UNDER AUTHORITY OF THIS ARTICLE. Except as provided in subdivision two of this section, any cable television company which shall violate any provision of this article, or which fails, omits or neglects to obey, observe or comply with any order or any direction or requirement of the commission, shall forfeit to the people of the state of New York a sum to be set by the commission not to exceed one thousand dollars for each and every offense; every violation of any such order or direction or requirement, or of this article, shall be a separate and distinct offense, and, in case of a continuing violation, every day's continuance thereof shall be a separate and distinct offense.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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