

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:

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

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

21 S 2. This act shall take effect on the first of July next succeeding
22 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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