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

5327

2011-2012 Regular Sessions

I N A S S E M B L Y

February 15, 2011

Introduced by M. of A. P. RIVERA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to the extension and renewal of cable television franchises

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

Section 1. Subdivision 2 of section 219 of the public service law, as added by chapter 83 of the laws of 1995, is amended to read as follows:

2. A municipality shall have the power to require a franchise of any cable television system providing service within the municipality, notwithstanding that said cable television system does not occupy, use or in any way traverse a public street. UPON THE EXPIRATION OF ANY FRANCHISE OR ANY EXTENSION OR RENEWAL THEREOF, THE PROVISIONS OF THE MOST RECENTLY EXPIRED FRANCHISE, EXTENSION OR RENEWAL SHALL REMAIN IN FULL FORCE AND EFFECT WITH AN INCREASE IN ALL FEES, TAXES, AND CHARGES IMPOSED UPON THE CABLE TELEVISION COMPANY BY THE MUNICIPALITY WHICH SHALL NOT EXCEED FIVE PERCENT OF SUCH COMPANY'S GROSS ANNUAL RECEIPTS, UNTIL SUCH TIME AS THE MUNICIPALITY AND CABLE TELEVISION COMPANY AGREE TO RENEW OR EXTEND SUCH FRANCHISE, OR THE MUNICIPALITY ENTERS INTO A FRANCHISE AGREEMENT WITH ANOTHER CABLE TELEVISION COMPANY. The provision of any municipal charter or other law authorizing a municipality to require and grant franchises is hereby enlarged and expanded, to the extent necessary, to authorize such franchises.

S 2. This act shall take effect on the thirtieth day after it shall have become a law, and shall apply to cable television franchises, and renewals and extensions thereof, that expire on or after such date.

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

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