

STATE OF NEW YORK

147

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. THOMAS -- 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 requiring cable television companies and telephone corporations to provide local news programming

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings. The legislature hereby finds that it
2 is vital to the public health, safety and welfare that residents be
3 informed about news and weather events and their impacts on their local
4 communities; and that to further this important government purpose every
5 cable television company and telephone corporation providing cable
6 service to customers in New York shall make available to every subscri-
7 er a source of local information affecting their community; and that
8 this purpose is best served by a content neutral requirement that every
9 cable television company or provider of cable service shall carry a
10 local news channel pursuant to this act.

11 § 2. Subdivision 13 of section 215 of the public service law, as added
12 by chapter 83 of the laws of 1995, is amended and a new subdivision 14
13 is added to read as follows:

14 13. Encourage and cooperate with other state agencies that collect
15 information from cable television companies serving fewer than one thou-
16 sand subscribers to eliminate duplicative reporting requirements[-];

17 14. Within sixty days of the effective date of the chapter of the laws
18 of two thousand twenty-one that added this subdivision, to the extent
19 permitted by, and not contrary to applicable federal law and rules and
20 regulations, issue such rules and regulations it deems appropriate, if
21 any, to effectuate the purpose of the chapter of the laws of two thou-
22 sand twenty-one that added this subdivision, including the hours and

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

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1 duration of such programming based on the size of the cable television
2 company or telephone corporation and its affiliates, the size of its
3 market, the size of its coverage area, the number of its subscribers,
4 and/or the number of its channels in the relevant coverage area.

5 § 3. Section 224 of the public service law is amended by adding a new
6 subdivision 4-a to read as follows:

7 4-a. (a) Every cable television company and telephone corporation, as
8 defined in subdivision seventeen of section two of this chapter, that
9 provides cable service to customers in New York shall provide a local
10 news channel to such customers.

11 (b) As used in this section, "local news channel" shall mean a channel
12 which is dedicated to the category of locally produced programming,
13 including but not limited to, news, weather and public affairs program-
14 ming primarily covering the total geographic coverage area of the cable
15 television company or telephone corporation.

16 (c) Such local news channel programming shall consist primarily of
17 independently locally produced programming and shall not be a dupli-
18 cation or rebroadcast of a local news channel produced and carried by
19 another cable television company or telephone corporation providing
20 cable service to customers in New York covering all or a significant
21 portion of the geographic coverage area of the cable television company
22 or telephone corporation. Nothing herein shall be deemed to prevent a
23 cable television company or telephone corporation from also carrying one
24 or more additional channels which are a duplication or rebroadcast of a
25 local news channel carried by another cable television company or tele-
26 phone corporation or from rebroadcasting programming carried by another
27 cable television company or telephone corporation.

28 (d) A local news channel shall be included in the basic service tier
29 offered by the cable television company or telephone corporation.

30 (e) Nothing herein shall be construed to be a prohibition of or limi-
31 tation on programming as described in section two hundred twenty-nine of
32 this article.

33 § 4. On or before the first day of December two thousand twenty-three,
34 the chairman of the public service commission shall study and report to
35 the governor, the temporary president of the senate and the speaker of
36 the assembly on compliance by cable television companies and telephone
37 corporations with the requirements of subdivision 4-a of section 224 of
38 the public service law as added by this chapter and shall consider,
39 evaluate and report recommendations regarding such.

40 § 5. This act shall take effect immediately; provided, however, that
41 section three of this act shall take effect one year after this act
42 shall have become a law for any cable television company or telephone
43 corporation not providing a local news channel as of October 15, 2021.