STATE OF NEW YORK

4144

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. ABINANTI, JACOBSON, BARRON, GALEF, DARLING -- Multi-Sponsored by -- M. of A. WOERNER -- read once and referred to the Committee on Corporations, Authorities and Commissions

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:

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

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

13. Encourage and cooperate with other state agencies that collect information from cable television companies serving fewer than one thousand subscribers to eliminate duplicative reporting requirements[~~.~~]*;*

14. Within sixty days of the effective date of the chapter of the laws of two thousand twenty-one that added this subdivision, to the extent permitted by, and not contrary to applicable federal law and rules and regulations, issue such rules and regulations it deems appropriate, if any, to effectuate the purpose of the chapter of the laws of two thousand twenty-one that added this subdivision, including the hours and duration of such programming based on the size of the cable television

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

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company or telephone corporation and its affiliates, the size of its market, the size of its coverage area, the number of its subscribers, and/or the number of its channels in the relevant coverage area.

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

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

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

(c) Such local news channel programming shall consist primarily of independently locally produced programming and shall not be a duplication or rebroadcast of a local news channel produced and carried by another cable television company or telephone corporation providing cable service to customers in New York covering all or a significant portion of the geographic coverage area of the cable television company or telephone corporation. Nothing herein shall be deemed to prevent a cable television company or telephone corporation from also carrying one or more additional channels which are a duplication or rebroadcast of a local news channel carried by another cable television company or telephone corporation or from rebroadcasting programming carried by another cable television company or telephone corporation.

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

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

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

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