
A BILL FOR AN ACT

RELATING TO PUBLIC EDUCATION GOVERNMENT TELEVISION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Under section 622 of the Federal Cable Act,
2 Title 47 United States Code section 542, the State as the local
3 franchising authority is entitled to franchise fees of up to
4 five per cent of a cable operator's annual gross revenues.
5 Federal law, however, does not dictate how the State uses the
6 franchise fees paid by the cable operator, and the State can use
7 the franchise fees for any purpose it deems necessary or
8 appropriate. Sections 440G-4 and 440G-12, Hawaii Revised
9 Statutes, empower the director of commerce and consumer affairs
10 to issue cable franchises and regulate cable operators within
11 the state. In accordance with this authority, the director has
12 issued franchise orders directing the cable operator to pay
13 franchise fees to support public, educational, and government
14 (PEG) access organizations managing cable channels for these
15 uses.

16 The purpose of this Act is to statutorily distribute cable
17 franchise fees received by the State to support public,



1 educational, or governmental access facilities, services, or
2 programming.

3 SECTION 2. Chapter 440G, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§440G- Cable operator franchise fees; distribution.

7 Notwithstanding any law to the contrary, in the event the
8 director requires each cable operator to pay franchise fees to
9 support public, educational, or governmental access facilities,
10 services, or programming, all fees collected under this section
11 shall be equally distributed as follows:

12 (1) One-third to accredited educational entities,
13 institutions of higher education, and schools;

14 (2) One-third to governmental agencies; and

15 (3) One-third to public access organizations."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Public Education Government Television; Cable Franchise Fees

Description:

Statutorily distributes cable franchise fees received by the State to support public, educational, or governmental access facilities, services, or programming. (HB2902 HD1)

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