
A BILL FOR AN ACT

RELATING TO CABLE TELEVISION SYSTEMS.

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

1 SECTION 1. The legislature finds that:

- 2 (1) The Federal Communications Commission is expected to
3 make significant changes to broadband,
4 telecommunications, and cable franchise regulation in
5 the near future;
- 6 (2) Substantial and rapid changes are currently taking
7 place in broadband and communications technology; and
- 8 (3) These changes may need to be addressed in future cable
9 franchise agreements on a more frequent basis than the
10 current fifteen-year franchise agreements allow.

11 Accordingly, the purpose of this Act is to authorize the
12 director of commerce and consumer affairs to issue franchise
13 agreements that are subject to review every five years when
14 regulatory or technological changes require a review.

15 SECTION 2. Section 440G-8, Hawaii Revised Statutes, is
16 amended by amending subsection (d) to read as follows:



1 "(d) In issuing a cable franchise under this chapter, the
2 director is not restricted to approving or disapproving the
3 application or proposal but may issue it for only partial
4 exercise of the privilege sought or may attach to the exercise
5 of the right granted by the cable franchise terms, limitations,
6 and conditions which the director deems the public interest may
7 require. The cable franchise shall be nonexclusive, shall
8 include a description of the service area in which the cable
9 system is to be constructed, extended, or operated and the
10 approximate date on which the service is to commence and shall
11 authorize the cable operator to provide service for a term of
12 fifteen years[-]; provided that the director may require the
13 cable operator to conduct a review and develop a technology
14 upgrade plan for its cable system after every five-year period
15 during the franchise term if the director determines that
16 substantial technological or regulatory changes necessitate a
17 review. Pursuant to the findings of a review conducted pursuant
18 to this subsection, the director may require the cable operator
19 to upgrade its cable system or to take other appropriate action
20 consistent with the cable franchise."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



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

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Report Title:

Cable Television Systems

Description:

Authorizes the director of the department of commerce and consumer affairs to require cable franchise operators to conduct a review and develop a technology upgrade plan every five years during the franchise agreement and to take any action indicated by the review. (SD1)

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