

JAN 25 2010

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# 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 changes are taking place rapidly in  
7 broadband and communications technology; and

8 (3) The foregoing changes may need to be addressed in  
9 future cable franchise agreements on a more regular  
10 basis than the current fifteen-year franchise  
11 agreements allow.

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

16 SECTION 2. Section 440G-8, Hawaii Revised Statutes, is  
17 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 franchise agreement may be  
13 subject to review and amendment every five years of the  
14 franchise term should the director determine that substantial  
15 technological or regulatory changes may necessitate a review."

16           SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18           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 issue cable franchise agreements that are subject to review every five years when regulatory or technological changes require a review.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

