



General Assembly

Amendment

February Session, 2008

LCO No. 5277

HB0581405277HDO

Offered by:

REP. MAZUREK, 80th Dist.

REP. BERGER, 73rd Dist.

REP. STONE, 9th Dist.

To: Subst. House Bill No. 5814

File No. 323

Cal. No. 190

"AN ACT CONCERNING COMMUNITY ACCESS TELEVISION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective July 1, 2008*) (a) On or before sixty days
4 prior to October 1, 2008, and on or before sixty days prior to October
5 first every five years thereafter, any community-based nonprofit
6 organization may petition the Department of Public Utility Control to
7 assume responsibility for community access within a defined service
8 area that includes a consolidated town and city that (1) was
9 consolidated in 1902, (2) has a mayor and board of aldermen form of
10 government, and (3) has a population of more than one hundred
11 thousand. Upon receipt of any such petition, the department shall
12 conduct a contested case proceeding to determine whether to assign
13 such responsibility to that community-based nonprofit organization,
14 any other nonprofit organization or community access television

15 company based on the following criteria: (1) The recommendations of
16 the community antenna television advisory council and of the chief
17 elected officials of the municipalities in the service area, (2) a review of
18 the performance of the organization or company currently providing
19 community access programming, (3) the operation plan submitted by
20 an organization or a company for providing community access
21 programming, (4) an organization's or company's experience in
22 community access programming, (5) an organization's or company's
23 proposed budget, including expenses for salaries, consultants,
24 attorneys and other professionals, (6) the quality and quantity of the
25 programming to be created, promoted or facilitated by the
26 organization or the company, (7) a review of the organization's or
27 company's procedures to ensure compliance with federal and state
28 law, including the regulations of state agencies, and (8) any other
29 criteria determined to be relevant by the department.

30 (b) On or before sixty days prior to April 1, 2009, and on or before
31 sixty days prior to April first of every five years thereafter, the
32 department may, on its own initiative, review and evaluate a
33 company's or organization's provision of community access
34 programming. The department shall conduct such review or
35 evaluation if the Consumer Counsel or any interested party petitions
36 the department for such a review during the period commencing
37 October 1, 2008, and ending April 1, 2009, and each corresponding
38 period every five years thereafter. Such review shall include
39 consideration of the factors set forth in subsection (a) of this section."