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Final Pass: 27-0-3-0

SB 1179: JLBC; reporting

NOW: video service; boundary change; definition

Sponsor: Senator Gowan, LD 14

Transmitted to the Governor

Overview

Modifies the definition of *video service* as it relates to city, town or county (local government) licensing and regulation of video service providers. Adds requirements for boundary change notifications.

History

Statute establishes uniform licensing and regulation of video service providers and use of video service and grants local governments the exclusive authority to issue a uniform video service license to a person to provide video service and to construct and operate a video service network in any service area within its boundaries ([Title 9, Chapter 13, A.R.S.](#); [Title 11, Chapter 14, A.R.S.](#)).

A *video service provider* is a person that: 1) provides or offers to provide video service over a video service network to subscribers in Arizona; 2) is an incumbent cable operator that elected to terminate its local license and a multichannel video programming distributor; and 3) is not a holdover cable operator.

Video service is the provision of multichannel video programming generally considered comparable to video programming delivered by a television broadcast station, video service or other digital television service, whether provided as part of a tier, on demand or on a per-channel basis, without regard to the technology used to deliver the video service, including internet protocol technology or any successor technology, including cable service.

Video service does not include: 1) video programming provided solely as part of, and through, a service that enables users to access content, information, e-mail, messaging or other services that are offered via the public internet; 2) direct broadcast satellite service; and 3) wireless multichannel video programming that is provided by a commercial mobile service provider.

Provisions

1. Clarifies *video service* means the provision *by a video service provider* of multichannel video programming generally considered comparable to video programming. (Sec. 1, 3)
2. Specifies *video service* does not include: 1) video programming that enables users to access content or other services offered via the internet, including steaming content; and 2) direct-to-home satellite services as defined by federal law. (Sec. 1, 3)
3. Adds *video service provider* does not include: 1) a provider of video programming accessed through a service that enables users to access content, information, email, messaging or other

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services that are offered via the internet, including streaming content; and 2) a provider of direct-to-home satellite services as defined by federal law. (Sec. 1, 3)

4. Requires a local government's boundary change notifications to be sent by certified mail, email or personal delivery. (Sec. 2, 4)
5. Prevents a video service provider from being required to pay certain licensing fees for at least 30 days after the boundary change notification is provided to the video service provider. (Sec. 2, 4)
6. Specifies the boundary change notification must be provided to the contract person and address specified by the video service provider. (Sec. 2, 4)
7. Directs the video service provider to provide a written notice to the local government of any change in the designated contract person or address. (Sec. 2, 4)