

Regular Session, 2014

HOUSE BILL NO. 224

BY REPRESENTATIVE CARMODY

LEASES: Prohibits installers of satellite television from taking certain actions in installing satellites on leased premises

1 AN ACT

2 To enact R.S. 9:3259.3, relative to satellite or antenna installation and leases; to require
3 direct broadcast satellite providers to obtain the permission of a lessor to take certain
4 actions to attach a satellite or antenna to leased premises; to provide relative to
5 damages; to provide definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:3259.3 is hereby enacted to read as follows:

8 §3259.3. Direct broadcast satellite provider; installation on leased premises;
9 authorization; damages

10 A. A direct broadcast satellite provider or anyone on behalf of a direct
11 broadcast satellite provider shall obtain the written authorization of the lessor prior
12 to drilling holes through exterior walls or the roof of leased premises to install or
13 attach a satellite or antenna in order for the lessee of the premises to obtain direct
14 broadcast satellite service at the leased premises.

15 B. A direct broadcast satellite provider or anyone on behalf of a direct
16 broadcast satellite provider, or both, who fails to obtain the written authorization
17 required by Subsection A of this Section shall be liable in solido with the lessee to
18 the lessor for the damages caused by drilling holes through exterior walls or the roof
19 of leased premises to install or attach a satellite or antenna to the leased premises.

1 C. Reliance on the forged signature of a lessor shall not relieve a direct
2 broadcast satellite provider or anyone on behalf of a direct broadcast satellite
3 provider from the liability imposed pursuant to Subsection B of this Section.

4 D. For purposes of the Section:

5 (1) "Direct broadcast satellite provider" shall mean a person, natural or
6 juridical, who transmits, broadcasts, or otherwise provides direct broadcast satellite
7 service.

8 (2) "Direct broadcast satellite service" shall mean the distribution of video
9 or Internet, or both, programming or service directly to receiving equipment located
10 at an end-user subscriber's or an end-user customer's premises, including but not
11 limited to the provision of premium channels, the provision of music or other audio
12 services or channels, Internet service, or any other service received in connection
13 with the provision of the direct broadcast satellite service.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Carmody

HB No. 224

Abstract: Requires direct broadcast satellite providers, or persons on their behalf, to obtain written permission of a lessor prior to drilling holes in the exterior wall or roof of a leased premise to attach a satellite or antenna in order for the lessee to obtain direct broadcast satellite service at a leased premise. Provides relative to damages and forged signatures. Provides definitions.

Proposed law requires direct broadcast satellite providers, or persons on their behalf, to obtain permission of a lessor prior to drilling holes in the exterior wall or roof of a leased premise to attach a satellite or antenna in order for the lessee to obtain direct broadcast satellite service at a leased premise.

Proposed law provides that direct broadcast satellite providers, or persons on their behalf, who fail to obtain the written authorization required by proposed law shall be liable in solido with the lessee to the lessor for the damages caused.

Proposed law provides that the forged signature of a lessor shall not relieve a direct broadcast satellite provider, or persons on their behalf, from the liability imposed pursuant to proposed law.

Proposed law provides definitions for "direct broadcast satellite provider" and "direct broadcast satellite service".

(Adds R.S. 9:3259.3)