
DIGEST

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HB 276 Original

2022 Regular Session

Bishop

Abstract: Provides for the secretary of state to conduct franchise fee audits and dispute resolutions and exempts certain video programming from the definition of video service.

Present law exempts video programming by a commercial mobile service provider or provided by a service enabling users to access information over the Internet from the definition of "video service".

Proposed law exempts direct broadcast satellite service as defined by federal law and providers of audio and video content, including streaming content, from the present law definition of "video service" and removes the exemption for video programming provided by a service enabling users to access information over the Internet from that present law definition.

Present law provides local governmental subdivisions the ability to review business records of a cable service provider or video service provider to the extent necessary to ensure payment of fees.

Present law requires that any suit relating to the amount of the franchise fee to be filed in a state or federal court of competent jurisdiction within three years following the end of the month to which the dispute arises.

Present law requires the local governmental subdivision to give written notice of any dispute prior to filing suit, and requires both parties to meet within 30 days to attempt to settle the dispute. Present law further authorizes the local governmental subdivision to pursue nonbinding mediation if the dispute is not resolved within 60 days.

Proposed law retains present law but changes the entity able to audit, file suit, and resolve disputes relating to franchise fee payments from the local governmental subdivision to the secretary of state.

(Amends R.S. 45:1363(intro. para.) and (14) and 1367(A), (B), and (C))