
DIGEST

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HB 798 Engrossed

2026 Regular Session

Mike Johnson

Abstract: Creates the Broadband and Cable Price Notice Act.

Proposed law creates the Broadband and Cable Price Notice Act.

Proposed law defines "broadband internet access service", "cable or video service", "customer", "price increase", "provider", and "written notice.

Proposed law requires a provider to furnish clear and conspicuous written notice to each affected customer at least 30 calendar days before the effective date of any price increase.

Proposed law provides that when a price increase results from circumstances outside the provider's reasonable control, the provider shall give written notice as soon as practicable, but in no event later than the customer's next regular billing cycle after the provider learns of the change.

Proposed law allows a customer to cancel or downgrade the affected service without early termination fees or other penalties triggered solely by the price increase, if the customer gives notice of cancellation on or before the effective date or within 30 days after receiving a written notice pursuant to proposed law.

Proposed law provides that any broadband or cable service provider that complies with applicable federal disclosure requirements shall be deemed in compliance with the disclosure requirements of proposed law.

Proposed law provides that nothing in proposed law shall be construed to shorten or limit any federal notice requirement that provides greater advance notice for cable service.

Proposed law outlines what shall be included in the written notice required by proposed law.

Proposed law requires the written notice outlined in proposed law to be sent to a customer separately from any bill from the provider.

Proposed law allows written notice to be provided by any channel the customer has selected for billing or account communications. Proposed law requires that if no election exists, written notice will be sent by U.S. mail to the service address or billing address on file.

Proposed law requires that a provider retain certain records.

Proposed law provides that a provider shall not treat a customer's exercise of rights pursuant to proposed law as a breach of contract or impose any fee or penalty triggered solely by the customer's cancellation or downgrade in response to a price increase.

Proposed law provides that nothing in proposed law prohibits a provider from recovering unreturned equipment charges or other amounts lawfully owed that are not early termination fees.

Proposed law provides that a violation of proposed law is an unfair or deceptive trade practice in accordance with the La. Unfair Trade Practices and Consumer Protection Law and that the attorney general may investigate and bring actions to enforce proposed law including civil penalties, injunctive relief, restitution, and attorneys' fees as authorized by La. Unfair Trade Practices and Consumer Protection Law.

Proposed law provides that the remedies provided by this proposed law are in addition to any other remedies available at law or in equity, including private actions authorized by La. Unfair Trade Practices and Consumer Protection Law.

Proposed law provides that proposed law is a disclosure and customer-notice requirement only and shall not be construed as rate regulation or to require any specific price, term, or offering.

Proposed law provides that for cable or video services, proposed law shall be construed in harmony with federal law and shall not diminish any federal or franchise-authority notice obligations that are equal to or greater than.

Proposed law provides that nothing in proposed law shall limit the authority of a local franchise authority to adopt or enforce customer-service standards or notice provisions, if a provider that complies with the more stringent applicable requirement is deemed in compliance with proposed law.

Proposed law allows the attorney general to promulgate rules under the APA to implement the provisions of proposed law.

Proposed law provides that proposed law applies to price increases first noticed to customers on or after the effective date of this proposed law. It does not require re-noticing of increases that took effect before the effective date of this proposed law.

Proposed law provides that disclosures required pursuant to proposed law shall be limited to factual, objective, and non-controversial commercial information reasonably related to the state's interest in preventing consumer deception and promoting transparency.

Proposed law provides that proposed law will apply only to consumer protection and disclosure practices affecting customers within this state and shall not be construed to regulate interstate communications services in a manner inconsistent with federal law.

Proposed law provides for severability.

Effective Jan. 1, 2027.

(Adds R.S. 51:1381-1389)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Amend the definition of "customer" and "provider".
3. Add that any broadband or cable service provider that complies with applicable federal disclosure requirements shall be deemed in compliance with the disclosure requirements of proposed law, if such disclosures are made available to consumers in this state.
4. Clarify the type of notice that is sent.
5. Clarify which portion of proposed law is relevant to the customer's exercise of rights.
6. Provide that disclosures required pursuant to proposed law shall be limited to factual, objective, and non-controversial commercial information reasonably related to the state's interest in preventing consumer deception and promoting transparency.
7. Provide that proposed law shall apply only to consumer protection and disclosure practices affecting customers within this state and shall not be construed to regulate interstate communications services in a manner inconsistent with federal law.
8. Provide for severability.