
DIGEST

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Broadwater

HB No. 108

Abstract: Allows local governmental subdivisions to approve plans for the placement of cable or video service in rights-of-way within the local governmental subdivision.

Present law (Consumer Choice for Television Act) allows for state franchises for the provision of cable or video service. Allows local governmental subdivisions to regulate the holder of a state certificate through registration with the subdivision and providing a point of contact and through the establishment of reasonable guidelines regarding the use of certain access programming channels.

Proposed law retains present law and authorizes local governmental subdivisions to regulate holders of a state certificate to provide cable or video services to require the submission for approval of a written plan of placement of a network in public rights-of-way.

Present law requires a local governmental subdivision to allow the installation, construction, and maintenance of a network within public rights-of-way and requires access to public rights-of-way. Present law further prohibits a local governmental subdivision from discriminating against the holder of a certificate with regard to the authorization and placement of a network in public rights-of-way.

Proposed law retains present law, except authorizes local governmental subdivisions to approve the placement of a network in public rights-of-way.

Proposed law further authorizes local governmental subdivisions to adopt and enforce reasonable regulations requiring the approval of plans, drawings, or plats for the placement of a network, including but not limited to structures above and below ground, within a public right-of-way. Authorizes local governmental subdivisions to determine the process for reviewing and approving plans and allows for the coordination of the timing of the process.

(Amends R.S. 45:1374)