

## HOUSE BILL No. 2061

By Committee on Energy, Utilities and Telecommunications

1-12

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1 AN ACT concerning the video competition act, definitions; amending  
2 K.S.A. 2016 Supp. 12-2022 and repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2016 Supp. 12-2022 is hereby amended to read as  
6 follows: 12-2022. For purposes of the video competition act:

7 (a) "Cable service" is defined as set forth in 47 U.S.C. § 522(6).

8 (b) "Cable operator" is defined as set forth in 47 U.S.C. § 522(5).

9 (c) "Cable system" is defined as set forth in 47 U.S.C. § 522(7).

10 (d) "Competitive video service provider" means an entity:

11 (1) (A) Providing video service;

12 (B) *providing the packet delivery system for video service; or*

13 (C) *that is a reseller of video service over a broadband network; and*

14 (2) that is not franchised as a cable operator in the state of Kansas as  
15 of the effective date of this act and is not an affiliate, successor or assign of  
16 such cable operator.

17 (e) "Franchise" means an initial authorization, or renewal of an  
18 authorization, issued by a municipality, regardless of whether the  
19 authorization is designed as a franchise, permit, license, resolution,  
20 contract, certificate, agreement or otherwise, that authorizes the  
21 construction and operation of a cable system.

22 (f) "Municipality" means a city or county.

23 (g) "Video programming" means programming provided by, or  
24 generally considered comparable to programming provided by, a television  
25 broadcast station, as set forth in 47 U.S.C. § 522(20).

26 (h) "Video service" means video programming services provided  
27 through wireline facilities located at least in part in the public rights-of-  
28 way without regard to delivery technology, including internet protocol  
29 technology. This definition does not include any video programming  
30 provided by a commercial mobile service provider defined in 47 U.S.C. §  
31 332(d).

32 (i) "Video service authorization" means the right of a video service  
33 provider to offer video programming to any subscribers anywhere in the  
34 state of Kansas.

35 (j) "Video service provider" means a cable operator or a competitive  
36 video service provider.

1 (k) "Video service provider fee" means the fee imposed upon video  
2 service providers pursuant to K.S.A. 2016 Supp. 12-2024, *and*  
3 *amendments thereto.*

4 Sec. 2. K.S.A. 2016 Supp. 12-2022 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its  
6 publication in the statute book.