
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2198 Session of
2014

INTRODUCED BY CRUZ, YOUNGBLOOD, V. BROWN, O'BRIEN, CALTAGIRONE,
CUTLER, FEE, TRUITT, MCCARTER, SWANGER, DENLINGER, MCNEILL,
SABATINA AND COHEN, APRIL 28, 2014

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, APRIL 28, 2014

AN ACT

1 Providing for the prohibition of the collection and recording of
2 consumer's visual and auditory information by cable operators
3 and direct broadcast satellite service providers.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Cable and
8 Satellite Television Consumer Protection Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Cable service." The term includes:

14 (1) The transmission of television programming or
15 services directly to a receiving device located at a
16 consumer's premises, including, but not limited to, the
17 provision of premium channels, the provision of music or
18 other audio services or channels and any other service

1 received in connection with the provision of cable television
2 programming.

3 (2) Consumer interaction, if any, which is required for
4 the selection of such television programming or other
5 programming service.

6 "Commission." The Pennsylvania Public Utility Commission.

7 "Consumer." A member of the general public who receives
8 either:

9 (1) cable service from a cable service operator; or

10 (2) direct broadcast satellite service from a direct
11 broadcast satellite service provider;

12 and does not further distribute such service in the ordinary
13 course of business.

14 "Direct broadcast satellite service." The term includes:

15 (1) The distribution or broadcasting by satellite of
16 television programming or services directly to a receiving
17 device located at a consumer's premises, including, but not
18 limited to, the provision of premium channels, the provision
19 of music or other audio services or channels and any other
20 service received in connection with the provision of direct
21 broadcast satellite television programming.

22 (2) Consumer interaction, if any, which is required for
23 the selection of such television programming or other
24 programming service.

25 "Operator." Any company or business:

26 (1) that provides cable television services directly or,
27 through one or more affiliates, owns a significant interest
28 in the cable service; or

29 (2) who otherwise controls or is responsible for,
30 through any arrangement, the management and operation of such

1 a cable service.

2 "Provider." Any company or business:

3 (1) that transmits, broadcasts or otherwise provides
4 direct broadcast satellite service or, through one or more
5 affiliates, owns a significant interest in the direct
6 broadcast satellite service; or

7 (2) who otherwise controls or is responsible for,
8 through any arrangement, the management and operation of such
9 a service.

10 Section 3. Unlawful collection or recording.

11 (a) Offense.--An operator or provider of a cable or direct
12 broadcast satellite service is prohibited from accessing,
13 collecting or recording visual or auditory information from the
14 vicinity of a device used to display television programming to
15 the consumer.

16 (b) Regulations.--The commission may promulgate rules and
17 regulations to administer and enforce this act.

18 Section 4. Civil penalties for violations.

19 (a) General rule.--If any operator violates section 3, the
20 operator shall pay to the Commonwealth a sum not exceeding
21 \$25,000.

22 (b) Continuing offenses.--In addition to the penalty
23 prescribed in subsection (a), each day that an operator is in
24 violation of this act or an order of the commission shall be a
25 separate and distinct offense.

26 Section 5. Effective date.

27 This act shall take effect in 60 days.