

**HOUSE BILL No. 2449**

By Representative Sloan

1-10

1 AN ACT concerning the video competition act; relating to broadband  
2 service; amending K.S.A. 2017 Supp. 12-2022 and repealing the  
3 existing section.  
4

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

6 Section 1. K.S.A. 2017 Supp. 12-2022 is hereby amended to read as  
7 follows: 12-2022. For purposes of the video competition act:

- 8 (a) "Cable service" is defined as set forth in 47 U.S.C. § 522(6).  
9 (b) "Cable operator" is defined as set forth in 47 U.S.C. § 522(5).  
10 (c) "Cable system" is defined as set forth in 47 U.S.C. § 522(7).  
11 (d) "Competitive video service provider" means an entity providing  
12 video service, *or the packet delivery system for video service*, that is not  
13 franchised as a cable operator in the state of Kansas as of the effective date  
14 of this act and is not an affiliate, successor or assign of such cable operator.  
15 (e) "Franchise" means an initial authorization, or renewal of an  
16 authorization, issued by a municipality, regardless of whether the  
17 authorization is designed as a franchise, permit, license, resolution,  
18 contract, certificate, agreement or otherwise, that authorizes the  
19 construction and operation of a cable system.  
20 (f) "Municipality" means a city or county.  
21 (g) "Video programming" means programming provided by, or  
22 generally considered comparable to programming provided by, a television  
23 broadcast station, as set forth in 47 U.S.C. § 522(20).  
24 (h) "Video service" means video programming services provided  
25 through ~~wireline~~ facilities located at least in part in the public rights-of-  
26 way without regard to delivery technology, including internet protocol  
27 technology. This definition does not include any video programming  
28 provided by a commercial mobile service provider defined in 47 U.S.C. §  
29 332(d).  
30 (i) "Video service authorization" means the right of a video service  
31 provider to offer video programming to any subscribers anywhere in the  
32 state of Kansas.  
33 (j) "Video service provider" means a cable operator or a competitive  
34 video service provider.  
35 (k) "Video service provider fee" means the fee imposed upon video  
36 service providers pursuant to K.S.A. 2017 Supp. 12-2024, *and*

1 *amendments thereto.*

2       Sec. 2. K.S.A. 2017 Supp. 12-2022 is hereby repealed.

3       Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.