

115TH CONGRESS
2D SESSION

S. 3524

To provide for the carriage of certain television broadcast stations, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2018

Mr. MARKEY (for himself and Ms. WARREN) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To provide for the carriage of certain television broadcast
stations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CARRIAGE OF TELEVISION BROADCAST STA-**
4 **TIONS.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, a cable operator may transmit to subscribers
7 in any county in the designated market area of Albany,
8 New York, any television broadcast station that—

1 (1) was retransmitted to subscribers located in
2 that designated market area on December 1, 2016;
3 and

4 (2) as of the date of enactment of this Act, is
5 not retransmitted to all subscribers in that des-
6 ignated market area.

7 (b) NEGOTIATIONS.—A cable operator that engages
8 in the retransmission described in subsection (a) shall en-
9 gage in good faith negotiations within the meaning of sec-
10 tion 76.65 of title 47, Code of Federal Regulations, or any
11 successor thereto, with a television broadcast station re-
12 garding the terms of such retransmission.

13 (c) RULES OF CONSTRUCTION.—Nothing in this Act
14 shall be construed—

15 (1) to alter any nonduplication or syndicated
16 exclusivity rights of an in-market station network
17 that are prescribed by contract or provided under
18 section 325 of the Communications Act of 1934 (47
19 U.S.C. 325); or

20 (2) to affect the applicability of any other com-
21 munications or copyright law related to the retrans-
22 mission of a television broadcast station by a cable
23 operator.

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