

116TH CONGRESS
2D SESSION

H. R. 7364

To amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2020

Mr. LONG introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to preserve cable franchising authority, 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. SHORT TITLE.**

4 This Act may be cited as the “Cable Access for
5 Broadband and Local Economic Leadership Act” or the
6 “CABLE Leadership Act”.

1 **SEC. 2. PRESERVATION OF CABLE FRANCHISING AUTHOR-**
2 **ITY.**

3 Section 621 of the Communications Act of 1934 (47
4 U.S.C. 541) is amended by adding at the end the fol-
5 lowing:

6 “(g) **TIMING OF DECISIONS ON REQUESTS FOR**
7 **FRANCHISES AND OTHER AUTHORIZATIONS.—**

8 “(1) **REQUEST FOR NEW FRANCHISE.—**Not
9 later than 120 days after the date on which a fran-
10 chising authority receives a complete request for the
11 grant of a franchise (other than a renewal thereof),
12 the franchising authority shall approve or deny such
13 request.

14 “(2) **NONEMERGENCY REQUESTS.—**

15 “(A) **IN GENERAL.—**Not later than 90
16 days after a franchising authority receives a
17 complete nonemergency request, as determined
18 by the Commission, from a cable operator for
19 authorization to modify or upgrade a cable sys-
20 tem or facilities for the cable system, the fran-
21 chising authority shall grant or deny such re-
22 quest.

23 “(B) **DENIAL OF NONEMERGENCY RE-**
24 **QUEST.—**Any decision by a franchising author-
25 ity to deny a nonemergency request described
26 under subparagraph (A) shall be—

1 “(i) in writing;

2 “(ii) supported by substantial evidence
3 contained in a written record; and

4 “(iii) publicly released, contempora-
5 neously with the decision.

6 “(3) DEEMED GRANTS.—

7 “(A) DEEMED GRANT OF NEW FRAN-
8 CHISE.—If the franchising authority does not
9 grant or deny a request under paragraph (1) by
10 the day after the date on which the time period
11 ends under such paragraph, such request shall
12 be deemed granted on such day.

13 “(B) DEEMED GRANT OF NONEMERGENCY
14 REQUEST.—If franchising authority does not
15 grant or deny such request by the day after the
16 date on which the time period ends under such
17 paragraph or denies such request, but fails to
18 comply with paragraph (2)(B) with respect to
19 the denial, such request shall be deemed grant-
20 ed on such day.

21 “(4) WHEN REQUEST CONSIDERED COMPLETE;
22 RECEIVED.—For the purposes of this subsection, a
23 request under this subsection shall be considered—

24 “(A) complete if—

1 “(i) the cable operator makes the re-
2 quest by submitting to the franchising au-
3 thority the form required to be used for
4 making the request;

5 “(ii) the form submitted contains all
6 of the information specified by the form as
7 being required to be included in form; and

8 “(iii) the cable operator has not re-
9 ceived a written notice from the fran-
10 chising authority within 10 business days
11 after the date on which the request is re-
12 ceived by the franchising authority—

13 “(I) stating that the form does
14 not contain all of the information re-
15 quired to be included in the form; and

16 “(II) identifying the information
17 required to be included in the form
18 that was not included; and

19 “(B) received by the franchising author-
20 ity—

21 “(i) in the case of a request submitted
22 electronically, on the date on which the
23 form required to be used for making the
24 request is transmitted;

1 “(ii) in the case of a request sub-
2 mitted in person, on the date on which the
3 form required to be used for making the
4 request is delivered to the individual or at
5 the location specified in the form for in-
6 person submission; and

7 “(iii) in the case of a request sub-
8 mitted in any other manner, on the date
9 determined by the franchising authority for
10 the manner in which the request is made.”.

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