



April 8, 2011

**ENGROSSED
HOUSE BILL No. 1131**

DIGEST OF HB 1131 (Updated April 7, 2011 11:20 am - DI 103)

Citations Affected: Noncode.

Synopsis: Video service franchise fees. Directs the regulatory flexibility committee (committee) to study the following not later than November 1, 2011: (1) Whether video service franchise fees paid to local units are used by local units for purposes related to the provision of video service in the units and in a manner consistent with the statute concerning video service franchises. (2) Whether video service franchise fees have an anti competitive effect on the pricing and provision of video service in Indiana. Requires the committee to submit to the legislative council not later than November 1, 2011, a report on any recommendations made by the committee concerning these topics.

Effective: Upon passage.

Koch

(SENATE SPONSOR — MERRITT)

January 6, 2011, read first time and referred to Committee on Utilities and Energy.
February 17, 2011, amended, reported — Do Pass.
March 28, 2011, read second time, amended, ordered engrossed.
March 29, 2011, engrossed.
March 30, 2011, read third time, passed. Yeas 85, nays 12.

SENATE ACTION

March 31, 2011, read first time and referred to Committee on Utilities and Technology.
April 7, 2011, reported favorably — Do Pass.

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EH 1131—LS 6297/DI 101+



April 8, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1131

A BILL FOR AN ACT concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The definitions
2 in IC 8-1-34 apply throughout this SECTION.

3 (b) As used in this SECTION, "commission" refers to the
4 Indiana utility regulatory commission created by IC 8-1-1-2.

5 (c) As used in this SECTION, "committee" refers to the
6 regulatory flexibility committee established by IC 8-1-2.6-4.

7 (d) Not later than November 1, 2011, the committee shall study
8 the following:

9 (1) Whether video service franchise fees paid to local units
10 under:

11 (A) a certificate of franchise authority issued by the
12 commission under IC 8-1-34; or

13 (B) an unexpired local franchise issued by a local unit
14 before July 1, 2006;

15 are used by local units for purposes related to the provision of
16 video service in the units and in a manner consistent with
17 IC 8-1-34.

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1 **(2) Whether the video service franchise fees described in**
 2 **subdivision (1) have an anticompetitive effect on the pricing**
 3 **and provision of video service in Indiana.**
 4 **(e) The commission shall provide any data or other information**
 5 **requested by the committee to conduct the study described in**
 6 **subsection (d). However, this subsection does not empower the**
 7 **commission to disclose confidential and proprietary business plans**
 8 **and other confidential information without adequate protection of**
 9 **the information. The commission shall exercise all necessary**
 10 **caution to avoid disclosure of confidential information supplied**
 11 **under this subsection.**
 12 **(f) The committee shall prepare a report on the committee's**
 13 **recommendations, if any, concerning the issues described in**
 14 **subsection (d) and shall submit the report to the legislative council**
 15 **in an electronic format under IC 5-14-6 not later than November**
 16 **1, 2011.**
 17 **(g) This SECTION expires January 1, 2012.**
 18 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities and Energy, to which was referred House Bill 1131, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1131 as introduced.)

LUTZ, Chair

Committee Vote: yeas 9, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1131 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning utilities.

(Reference is to HB 1131 as printed February 18, 2011.)

KOCH

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COMMITTEE REPORT

Madam President: The Senate Committee on Utilities and Technology, to which was referred House Bill No. 1131, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1131 as printed March 29, 2011.)

MERRITT, Chairperson

Committee Vote: Yeas 9, Nays 0.

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