

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6914
BILL NUMBER: HB 1138

NOTE PREPARED: Jan 6, 2008
BILL AMENDED:

SUBJECT: Cable Programming Arbitration.

FIRST AUTHOR: Rep. Reske
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that an independent cable programmer may request arbitration if it believes that a vertically integrated cable operator that owns a competing programming channel has discriminated against it. The bill also specifies the remedies that the Attorney General may seek against a vertically integrated cable operator that engages in a pattern of discrimination against independent cable programmers.

Effective Date: July 1, 2008.

Explanation of State Expenditures: This bill could increase administrative costs for the Attorney General (AG). The bill allows the AG to seek certain remedies, as listed in the bill, against a vertically integrated cable operator that engages in a pattern of discrimination against independent cable programmers. Any increase in administrative costs will ultimately be determined by the number of vertically integrated cable operators that engage in a pattern of discrimination against independent cable programmers. The remedies listed in the bill include injunctive relief, restitution, monetary damages, or a civil penalty not to exceed \$100,000.

Explanation of State Revenues: Any civil penalties collected under the provisions of this bill would be required to be deposited in the state General Fund. Therefore, there could be an increase in state General Fund revenues. Any increase in state General Fund revenues will ultimately be determined by: (1) the number of vertically integrated cable operators that engage in a pattern of discrimination against independent cable programmers; and (2) the remedy sought by the AG. The AG may seek any of the remedies listed in the bill including injunctive relief, restitution, monetary damages, or a civil penalty not to exceed \$100,000.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Attorney General.

Local Agencies Affected:

Information Sources:

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