

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/13/15

A Bill

HOUSE BILL 1875

By: Representative Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL
AUTHORITY OVER INTERNET, CABLE TELEVISION, AND
TELEPHONE PROVIDERS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING MUNICIPAL
AUTHORITY OVER CERTAIN PROVIDERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-200-101(a), concerning municipal authority and powers over utilities, is amended to read as follows:

(a) As used in this section, "public utility" means any electric company, cable television provider, gas company, sewer company, Internet service provider, or telephone company, and any company providing similar services, except a company excluded from the definition of "public utility" under § 23-1-101(9)(B)(ii), a consolidated utility district under the General Consolidated Public Utility System Improvement District Law, § 14-217-101 et seq., ~~and~~ or a water or light commission under § 14-201-101 et seq.

SECTION 2. Arkansas Code § 14-200-101(b)(1)(A)(iii), concerning franchise fees, is amended to read as follows:

(iii) A franchise fee for a utility, including a telephone company, cable television provider, or Internet service provider providing services other than basic ~~local-exchange~~ service, shall not exceed the higher of the amount in effect on January 1, 1997, or ~~four and one-quarter percent (4.25%)~~ five percent (5%), unless agreed to by the affected



utility or approved by the voters of the municipality;

SECTION 3. Arkansas Code § 14-200-101(b)(1)(B), concerning franchise fees, is amended to read as follows:

(B) Require a telephone company, cable television provider, or Internet service provider providing basic ~~local-exchange~~ service to pay a reasonable franchise fee not to exceed the higher of the amount of the ~~telephone~~ company's franchise fee in effect on January 1, 1997, or a fee equal to ~~four and one quarter percent (4.25%)~~ five percent (5%) of the revenues received by the telephone company, cable television provider, or Internet service provider from providing basic ~~local-exchange~~ services, unless:

(i) A higher rate or franchise fee is approved by the voters of the municipality; or

(ii) The telephone company, cable television provider, or Internet service provider agrees to pay a higher percentage on services offered in addition to basic ~~local-exchange~~ services;

/s/Johnson