

117TH CONGRESS
1ST SESSION

H. R. 1148

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

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”.

7 **SEC. 2. REQUEST FOR NEW FRANCHISE.**

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

1 “(g) TIMING OF DECISION ON REQUEST FOR FRAN-
2 CHISE.—

3 “(1) IN GENERAL.—Not later than 120 days
4 after the date on which a franchising authority re-
5 ceives a complete request for the grant of a fran-
6 chise (other than a renewal thereof), the franchising
7 authority shall approve or deny such request.

8 “(2) DEEMED GRANT OF NEW FRANCHISE.—If
9 the franchising authority does not approve or deny
10 a request under paragraph (1) by the day after the
11 date on which the time period ends under such para-
12 graph, such request shall be deemed granted on such
13 day.

14 “(3) APPLICABILITY.—Notwithstanding any
15 provision of this title, the timeframe under para-
16 graph (1) shall apply collectively to all proceedings
17 required by a franchising authority for the approval
18 of the request.

19 “(4) NO TOLLING.—A timeframe under para-
20 graph (1) may not be tolled by any moratorium,
21 whether express or de facto, imposed by a fran-
22 chising authority on the consideration of any request
23 for a franchise.

1 “(5) WRITTEN DECISION AND RECORD.—Any
2 decision by a franchising authority to deny a com-
3 plete request for a franchise shall be—

4 “(A) in writing;

5 “(B) supported by substantial evidence
6 contained in a written record; and

7 “(C) publicly released, contemporaneously
8 with the decision.

9 “(6) WHEN REQUEST CONSIDERED COMPLETE;
10 RECEIVED.—

11 “(A) WHEN REQUEST CONSIDERED COM-
12 plete.—

13 “(i) IN GENERAL.—For the purposes
14 of this subsection, a request to a fran-
15 chising authority shall be considered com-
16 plete if the requesting party has not re-
17 ceived a written notice from the fran-
18 chising authority within 10 business days
19 after the date on which the request is re-
20 ceived by the franchising authority—

21 “(I) stating that all the informa-
22 tion (including any form or other doc-
23 ument) required by the franchising
24 authority to be submitted for the re-

1 quest to be considered complete has
2 not been submitted; and

3 “(II) identifying the information
4 required to be submitted that was not
5 submitted.

6 “(ii) DEFINITION.—In this paragraph,
7 the term ‘received by the franchising au-
8 thority’ means—

9 “(I) in the case of a request sub-
10 mitted electronically, on the date on
11 which the request is transmitted;

12 “(II) in the case of a request
13 submitted in person, on the date on
14 which the request is delivered to the
15 individual or at the location specified
16 by franchising authority for in-person
17 submission; and

18 “(III) in the case of a request
19 submitted in any other manner, on
20 the date determined under regulations
21 promulgated by the Commission for
22 the manner in which the request is
23 submitted.

24 “(B) WHEN COMPLETE REQUEST CONSID-
25 ERED RECEIVED.—For the purposes of this

1 subsection, a complete request shall be consid-
2 ered received on the date on which the request-
3 ing party submits to the franchising authority
4 all information (including any form or other
5 document) required by the franchising authority
6 to be submitted for the request to be considered
7 complete.”.

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