

2024 Regular Session

HOUSE BILL NO. 308

BY REPRESENTATIVE ADAMS

TELEVISION/CABLE: Prohibits discontinuation of cable service without prior notice

1 AN ACT

2 To amend and reenact R.S. 45:1364(E) and 1365(B)(1), relative to notice for discontinuation  
3 of cable services; to provide for termination of certificates with the secretary of state;  
4 to require the issuance of notice; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 45:1364(E) and 1365(B)(1) are hereby amended and reenacted to read  
7 as follows:

8 §1364. Certificate issued by the state; eligibility

9 \* \* \*

10 E.(1) The certificate issued pursuant to this Chapter may be terminated by  
11 the cable service provider or video service provider by submitting written notice of  
12 the termination to the secretary of state.

13 (2) A cable service provider that elects to terminate a certificate pursuant to  
14 this Section shall notify its customers of the end of service in writing and through  
15 announcements on the cable system at least thirty days before termination of the  
16 certificate is effective, if the effective date of termination is within the cable service  
17 provider's control.

18 \* \* \*

1 §1365. State franchise; effect on existing local franchise agreement

2 \* \* \*

3 B. Any incumbent service provider shall have the option to terminate an  
4 existing franchise previously issued by a local governmental subdivision and may  
5 instead offer cable service or video service in such local governmental subdivision  
6 under a certificate of state franchise issued by the secretary of state in accordance  
7 with the provisions of R.S. 45:1364, provided the following requirements are  
8 satisfied by any such incumbent service provider:

9 (1)(a) An incumbent service provider exercising its termination option shall  
10 file a statement of termination with the secretary of state in the form of an affidavit  
11 containing the information required by R.S. 45:1364(B) and submit copies of such  
12 filing with any affected local governmental subdivision. Termination of existing  
13 franchises is effective immediately upon the effective date of the certificate of state  
14 franchise issued by the secretary of state.

15 (b) If a cable service provider exercises its termination option pursuant to  
16 this Section, the cable service provider shall notify its customers at least thirty days  
17 before termination of the certificate is effective, if the effective date of termination  
18 is within the cable service provider's control. The cable service provider shall notify  
19 its customers of a possible disruption of cable service as a result of the termination  
20 of the certificate in writing and through announcements on the cable system.

21 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 308 Engrossed

2024 Regular Session

Adams

**Abstract:** Prohibits the discontinuation of cable service without prior notice.

Present law provides that the secretary of state shall issue a certificate authorizing an applicant to offer cable service or video service.

Present law provides that the certificate issued pursuant to present law may be terminated by the cable service provider or video service provider by submitting written notice of the termination to the secretary of state.

Proposed law adds that if a cable service provider elects to terminate a certificate pursuant to present and proposed law it shall notify its customers of the end of service in writing and through announcements on the cable system at least 30 days before termination of the certificate is effective, if the effective date of termination is within the cable service provider's control.

Present law states that any incumbent service provider shall have the option to terminate an existing franchise previously issued by a local governmental subdivision and may instead offer cable service or video service in such local governmental subdivision under a certificate of state franchise issued by the secretary of state in accordance with the provisions of present law and proposed law, provided that all requirements are satisfied by any such incumbent service provider.

Proposed law retains present law.

Present law provides that an incumbent service provider exercising its termination option shall file a statement of termination with the secretary of state in the form of an affidavit containing the information required by present law and submit copies of such filing with any affected local governmental subdivision. Termination of existing franchises is effective immediately upon the effective date of the certificate of state franchise issued by the secretary of state.

Proposed law adds that if a cable service provider exercises its termination option pursuant to present and proposed law, the cable service provider shall notify its customers at least 30 days before termination of the certificate is effective, if the effective date of termination is within the cable service provider's control. The cable service provider shall notify its customers of a possible disruption of cable service as a result of the termination of the certificate in writing and through announcements on the cable system.

(Amends R.S. 45:1364(E) and 1365(B)(1))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove language as it relates to video service providers.
2. Clarify that a cable service provider must notify its customers of end of service if the date of termination is within the provider's control.