

FIRST REGULAR SESSION

HOUSE BILL NO. 928

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FALKNER.

1999H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.2689 and 67.2720, RSMo, and to enact in lieu thereof two new sections relating to video services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 67.2689 and 67.2720, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 67.2689 and 67.2720, to read as follows:

67.2689. 1. A franchise entity may collect a video service provider fee equal to not
2 more than five percent of the gross revenues charged to each customer of a video service
3 provider that is providing video service in the geographic area of such franchise entity. The
4 video service provider fee shall apply equally to all video service providers within the
5 geographic area of a franchise entity.

6 2. Beginning August 28, ~~[2023]~~ **2026**, franchise entities are prohibited from
7 collecting a video service provider fee in excess of four and one-half percent of such gross
8 revenues. Beginning August 28, ~~[2024]~~ **2027**, franchise entities are prohibited from
9 collecting a video service provider fee in excess of four percent of such gross revenues.
10 Beginning August 28, ~~[2025]~~ **2028**, franchise entities are prohibited from collecting a video
11 service provider fee in excess of three and one-half percent of such gross revenues.
12 Beginning August 28, ~~[2026]~~ **2029**, franchise entities are prohibited from collecting a video
13 service provider fee in excess of three percent of such gross revenues. Beginning August 28,
14 ~~[2027]~~ **2030**, and continuing thereafter, franchise entities are prohibited from collecting a
15 video service provider fee in excess of two and one-half percent of such gross revenues.

16 3. Except as otherwise expressly provided in sections 67.2675 to 67.2714, neither a
17 franchise entity nor any other political subdivision shall demand any additional fees, licenses,

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 gross receipt taxes, or charges on the provision of video services by a video service provider
19 and shall not demand the use of any other calculation method.

20 4. Not more than once per calendar year after the date that the incumbent cable
21 operator's franchise existing on August 28, 2007, expires or would have expired if it had not
22 been terminated pursuant to sections 67.2675 to 67.2714, or in any political subdivision
23 where no franchise applied on the date of enactment of sections 67.2675 to 67.2714, no more
24 than once per calendar year after the video service provider fee was initially imposed, a
25 franchise entity may, upon ninety days notice to all video service providers, elect to adjust the
26 amount of the video service provider fee subject to state and federal law, but in no event shall
27 such fee exceed the calculation defined in subsections 1 and 2 of this section.

28 5. The video service provider fee shall be paid to each franchise entity requiring such
29 fee on or before the last day of the month following the end of each calendar quarter. Any
30 payment made pursuant to subsection 8 of section 67.2703 shall be made at the same time as
31 the payment of the video service provider fee.

32 6. Any video service provider shall identify and collect the amount of the video
33 service provider fee and collect any support under subsection 8 of section 67.2703 as separate
34 line items on subscriber bills.

67.2720. 1. There is hereby established the "Task Force on the Future of Right-of-
2 Way Management and Taxation", which shall be composed of the following members:

3 (1) Two members of the senate to be appointed by the president pro tempore of the
4 senate;

5 (2) One member of the senate to be appointed by the minority floor leader of the
6 senate;

7 (3) Two members of the house of representatives to be appointed by the speaker of
8 the house of representatives;

9 (4) One member of the house of representatives to be appointed by the minority floor
10 leader of the house of representatives;

11 (5) Four members that are municipal officials or other political subdivision officials,
12 two to be appointed by the president pro tempore of the senate and two to be appointed by the
13 speaker of the house of representatives;

14 (6) Four experts in the telecommunications industry, two to be appointed by the
15 president pro tempore of the senate and two to be appointed by the speaker of the house of
16 representatives;

17 (7) A member of the municipal league of metro St. Louis appointed by the speaker of
18 the house of representatives; and

19 (8) A member of the Missouri municipal league appointed by the president pro
20 tempore of the senate.

21 2. A majority of the members of the task force shall constitute a quorum, but the
22 concurrence of a majority of the members shall be required for the determination of any
23 matter within the task force's duties.

24 3. The task force shall meet within thirty days after its creation and organize by
25 selecting a chair and a vice chair, one of whom shall be a member of the senate and the other a
26 member of the house of representatives.

27 4. The task force shall study best methods for right-of-way management, taxation of
28 video services, and the future revenue needs of municipalities and political subdivisions as
29 such revenue relates to video services.

30 5. The task force shall compile a full report of its activities for submission to the
31 general assembly. The report shall be submitted not later than December 31, [~~2023~~] **2024**,
32 and shall include any recommendations which the task force may have for legislative action.

33 6. The task force shall be staffed by legislative personnel as is deemed necessary to
34 assist the task force in the performance of its duties.

35 7. The members of the task force shall serve without compensation, but any actual
36 and necessary expenses incurred in the performance of the task force's official duties by the
37 task force, its members, and any staff assigned to the task force shall be paid from the joint
38 contingent fund.

39 8. This section shall expire on December 31, [~~2023~~] **2026**.

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