
A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that public, educational,
2 and governmental access channels are critical to government
3 transparency and open access. Public, educational, and
4 governmental access channels provide local residents unfiltered
5 access to government broadcasts of the legislature, county
6 councils, and neighborhood board meetings. Public, educational,
7 and governmental access channels also serve an important
8 consumer protection function, as the State uses these channels
9 during natural disasters and emergencies to distribute
10 information to the public.

11 The legislature further finds that any redesignation of
12 public, educational, and governmental access channel numbers
13 requires strategic and coordinated communication with the
14 public, as lack of sufficient communication may cause confusion
15 and lead to a decline in public viewership of these channels.
16 Furthermore, access organizations that oversee public,
17 educational, and governmental access programs may find it



1 difficult to rebrand their programs to the new channel number
2 designations. Authorizing the department of commerce and
3 consumer affairs to regulate public, educational, and
4 governmental access channel number designations will help
5 alleviate these concerns.

6 Accordingly, the purpose of this Act is to require the
7 department of commerce and consumer affairs to regulate public,
8 educational, and governmental access channel number
9 designations.

10 SECTION 2. Chapter 440G, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§440G- Regulation of channel number designation;
14 public, educational, and governmental channels. (a)
15 Notwithstanding any law to the contrary, unless expressly
16 prohibited by federal law, the department shall regulate all
17 channel number designations and relocation of public,
18 educational, and governmental access channels.

19 (b) No cable operator shall change the designation of a
20 public, educational, and governmental access channel number or



1 relocate a public, educational, and government access channel,
2 except upon:

3 (1) Completion of a public outreach campaign, subject to
4 approval by the cable television division;

5 (2) Mutual agreement between the cable operator and access
6 organization designated to oversee development,
7 operation, supervision, management, production, and
8 broadcasting of programs for the public, educational,
9 and governmental access channel; and

10 (3) Satisfaction of any other requirements established by
11 the department.

12 (c) The department may adopt rules, pursuant to chapter
13 91, to apply additional requirements to cable operators for the
14 purposes of this section."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17



Report Title:

Public, Educational, and Governmental Access Channels; Channel Designation; Cable Operators; Consumer Protection

Description:

Requires the department of commerce and consumer affairs to regulate all channel designations and relocation of public, educational, and governmental access channels unless expressly prohibited by federal law. Allows cable operators to relocate or change the designation of public, educational, and governmental access channels only under certain conditions.
(SD2)

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