

111TH CONGRESS
1ST SESSION

S. 771

To provide certain counties with the ability to receive television broadcast signals of their choice.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mr. BENNET (for himself and Mr. UDALL of Colorado) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide certain counties with the ability to receive television broadcast signals of their choice.

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 “Four Corners Tele-
5 vision Access Act of 2009”.

6 **SEC. 2. SATELLITE CARRIAGE OF CERTAIN TELEVISION**
7 **BROADCAST SIGNALS.**

8 Section 119(a)(2)(C)(iv) of title 17, United States
9 Code, is amended—

1 (1) by redesignating subclauses (I) and (II) as
 2 items (aa) and (bb) and inserting “(I)” before
 3 “(aa)”;

4 (2) in item (bb), as so redesignated by para-
 5 graph (1), after “Nielsen Media Research” insert
 6 the following: “; or

7 “(II)(aa) the 2 counties are lo-
 8 cated in the 46th largest designated
 9 market area for the year 2005 accord-
 10 ing to Nielsen Media Research; and

11 “(bb) the total number of tele-
 12 vision households in the 2 counties
 13 combined did not exceed 30,000 for
 14 the year 2005 according to Nielsen
 15 Media Research”.

16 **SEC. 3. CABLE CARRIAGE OF CERTAIN TELEVISION BROAD-**
 17 **CAST SIGNAL.**

18 Section 341 of Communications Act of 1934 (47
 19 U.S.C. 341) is amended by adding at the end the fol-
 20 lowing:

21 “(c) **RULE OF CONSTRUCTION.**—

22 “(1) **SIGNIFICANTLY VIEWED.**—Each television
 23 broadcast station broadcasting in the designated
 24 market area of a State capital is deemed signifi-
 25 cantly viewed within the meaning of section 76.54 of

1 title 47, Code of Federal Regulations, for purposes
2 of the carriage and retransmission of the signals of
3 such broadcast station by a cable system, translator,
4 or other multichannel video programming dis-
5 tributor.

6 “(2) RETRANSMISSION PERMITTED.—Notwith-
7 standing the provisions of section 325(b), a cable
8 system, translator, or other multichannel video pro-
9 gramming distributor may retransmit the signal of
10 any television broadcast station described in para-
11 graph (1) within a covered county.

12 “(3) DEFINITION OF COVERED COUNTY.—For
13 purposes of this subsection, a county is a covered
14 county if—

15 “(A) it is 1 of 2 counties located in the
16 46th largest designated market area for the
17 year 2005 according to Nielsen Media Re-
18 search; and

19 “(B) the total number of television house-
20 holds in the 2 counties combined did not exceed
21 30,000 for the year 2005 according to Nielsen
22 Media Research.”.

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