

2023 Kansas Statutes

12-2022. Definitions. For purposes of the video competition act:

- (a) "Cable service" means the same as defined in 47 U.S.C. § 522.
- (b) "Cable operator" means the same as defined in 47 U.S.C. § 522.
- (c) "Cable system" means the same as defined in 47 U.S.C. § 522.
- (d) "Communications service" means information service or telecommunications service as defined in 47 U.S.C. § 153.
- (e) "Competitive video service provider" means an entity providing video service that is not franchised as a cable operator in the state of Kansas as of the effective date of this act and is not an affiliate, successor or assign of such cable operator.
- (f) "Franchise" means an initial authorization, or renewal of an authorization, issued by a municipality, regardless of whether the authorization is designed as a franchise, permit, license, resolution, contract, certificate, agreement or otherwise, that authorizes the construction and operation of a cable system.
- (g) "Micro wireless facility" means equipment at a fixed location that is:
 - (1) Installed on cables that are owned and operated by a video service provider between utility poles as defined in K.S.A. 66-2019, and amendments thereto;
 - (2) used to provide communications service; and
 - (3) not larger in dimension than 24 inches in length, 15 inches in width and 12 inches in height and does not have any associated exterior antenna longer than 11½ inches.
- (h) "Municipality" means a city or county.
- (i) "Video programming" means programming provided by, or generally considered comparable to programming provided by, a television broadcast station, as set forth in 47 U.S.C. § 522.
- (j) "Video service" means video programming services provided by a video services provider through wireline facilities owned, controlled, constructed or operated by the provider of such video service and located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. "Video service" does not include any video programming provided by:
 - (1) A commercial mobile service provider defined in 47 U.S.C. § 332(d), unless such programming is determined by the federal communications commission to be cable service;
 - (2) a provider of direct-to-home satellite services, as defined in 47 U.S.C. 303(v), that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or
 - (3) a provider of video programming accessed through a service that enables users to access content, information, email or other services offered over the internet including streaming content.
- (k) "Video service authorization" means the right of a video service provider to offer video programming to any subscribers anywhere in the state of Kansas.
- (l) "Video service provider" means a cable operator or a competitive video service provider that provides a video service.
- (m) "Video service provider fee" means the fee imposed upon video service providers pursuant to K.S.A. 12-2024, and amendments thereto.

History: L. 2006, ch. 93, § 2; L. 2020, ch. 11, § 1; L. 2023, ch. 19, § 1; July 1.