

1 HOUSE BILL NO. 890  
 2 INTRODUCED BY Merrill K. Stewart  
 3 Patricia M. ...

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A  
 5 MUNICIPALITY MAY CREATE A BOARD TO OR MAY ITSELF ISSUE AND  
 6 RENEW CABLE TELEVISION SYSTEM FRANCHISES AND MAY REGULATE  
 7 CABLE SERVICE AS AUTHORIZED BY FEDERAL LAW; AMENDING SECTION  
 8 7-5-4321, MCA."  
 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Authorization to establish  
 12 cable television board -- regulation of cable service. (1)  
 13 The governing body of any municipality may establish a board  
 14 to franchise and regulate the operation of cable television  
 15 systems, or the governing body may itself franchise and  
 16 regulate such systems.

17 (2) The issuance or renewal of a franchise may be upon  
 18 terms requiring adequate, economical, and efficient cable  
 19 service. The board or governing body may establish franchise  
 20 fees and regulate rates, services, facilities, and equipment  
 21 as authorized by Public Law 98-549.

22 Section 2. Section 7-5-4321, MCA, is amended to read:

23 "7-5-4321. Grant of exclusive franchise -- election  
 24 required. (1) The council may not grant an exclusive  
 25 franchise or special privilege to any person except as

1 provided in [section 1] and in the manner specified in  
 2 subsection (2). The powers of the council are only those  
 3 expressly prescribed by law and those necessarily incident  
 4 thereto.

5 (2) No exclusive franchise for any purpose may be  
 6 granted by any city or town or by the mayor or city council  
 7 thereof to any person, association, or corporation without  
 8 first submitting the application therefor to the electors of  
 9 the city."

-End-



COMM. ON  
BUSINESS AND LABOR  
REPORT WITHOUT RECOMMENDATION

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3 Astoria - M. Council Selge

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