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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

# H. R.

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To amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes.

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M\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes.

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 “Cable Access for  
5 Broadband and Local Economic Leadership Act” or the  
6 “CABLE Leadership Act”.

1 **SEC. 2. REQUEST FOR NEW FRANCHISE.**

2 Section 621 of the Communications Act of 1934 (47  
3 U.S.C. 541) is amended by adding at the end the fol-  
4 lowing:

5 “(g) **TIMING OF DECISION ON REQUEST FOR FRAN-**  
6 **CHISE.**—

7 “(1) **IN GENERAL.**—Not later than 120 days  
8 after the date on which a franchising authority re-  
9 ceives a complete request for the grant of a fran-  
10 chise (other than a renewal thereof), the franchising  
11 authority shall approve or deny such request.

12 “(2) **DEEMED GRANT OF NEW FRANCHISE.**—If  
13 the franchising authority does not approve or deny  
14 a request under paragraph (1) by the day after the  
15 date on which the time period ends under such para-  
16 graph, such request shall be deemed granted on such  
17 day.

18 “(3) **APPLICABILITY.**—Notwithstanding any  
19 provision of this title, the timeframe under para-  
20 graph (1) shall apply collectively to all proceedings  
21 required by a franchising authority for the approval  
22 of the request.

23 “(4) **NO TOLLING.**—A timeframe under para-  
24 graph (1) may not be tolled by any moratorium,  
25 whether express or de facto, imposed by a fran-

1 chising authority on the consideration of any request  
2 for a franchise.

3 “(5) WRITTEN DECISION AND RECORD.—Any  
4 decision by a franchising authority to deny a com-  
5 plete request for a franchise shall be—

6 “(A) in writing;

7 “(B) supported by substantial evidence  
8 contained in a written record; and

9 “(C) publicly released, contemporaneously  
10 with the decision.

11 “(6) WHEN REQUEST CONSIDERED COMPLETE;  
12 RECEIVED.—

13 “(A) WHEN REQUEST CONSIDERED COM-  
14 PLETE.—

15 “(i) IN GENERAL.—For the purposes  
16 of this subsection, a request to a fran-  
17 chising authority shall be considered com-  
18 plete if the requesting party has not re-  
19 ceived a written notice from the fran-  
20 chising authority within 10 business days  
21 after the date on which the request is re-  
22 ceived by the franchising authority—

23 “(I) stating that all the informa-  
24 tion (including any form or other doc-  
25 ument) required by the franchising

1 authority to be submitted for the re-  
2 quest to be considered complete has  
3 not been submitted; and

4 “(II) identifying the information  
5 required to be submitted that was not  
6 submitted.

7 “(ii) DEFINITION.—In this subpara-  
8 graph, the term ‘the date on which the re-  
9 quest is received by the franchising author-  
10 ity’ means—

11 “(I) in the case of a request sub-  
12 mitted electronically, the date on  
13 which the request is transmitted;

14 “(II) in the case of a request  
15 submitted in person, the date on  
16 which the request is delivered to the  
17 individual or at the location specified  
18 by franchising authority for in-person  
19 submission; and

20 “(III) in the case of a request  
21 submitted in any other manner, the  
22 date determined under regulations  
23 promulgated by the Commission for  
24 the manner in which the request is  
25 submitted.

1           “(B) WHEN COMPLETE REQUEST CONSID-  
2           ERED RECEIVED.—For the purposes of this  
3           subsection, a complete request shall be consid-  
4           ered received—

5                   “(i) except as provided in clause (ii),  
6                   on the date on which the requesting party  
7                   submits to the franchising authority all in-  
8                   formation (including any form or other  
9                   document) required by the franchising au-  
10                  thority to be submitted for the request to  
11                  be considered complete; or

12                   “(ii) in the case of a request with re-  
13                   spect to which all such information is not  
14                   submitted and that is considered complete  
15                   under subparagraph (A)(i) because the re-  
16                   questing party has not received a written  
17                   notice from the franchising authority with-  
18                   in the period described in such subpara-  
19                   graph, on the day after the last day of  
20                   such period.”.