

Amend CSSB 408 (house committee printing) as follows:

(1) Insert the following appropriately numbered SECTION to read as follows and renumber subsequent SECTIONS accordingly:

SECTION 16. Subchapter A, Chapter 62, Utilities Code, is amended by adding Section 62.003 to read as follows:

Sec. 62.003. REQUIREMENTS RELATING TO AUDIO AND VIDEO PROGRAMMING. (a) This section applies only to a provider of advanced services or local exchange telephone service that has more than 500,000 access lines in service in this state and that delivers audio or video programming to its subscribers.

(b) Notwithstanding any other provision of this title, a provider of advanced services or local exchange telephone service shall provide subscribers access to the signals of the local broadcast television and radio stations licensed by the Federal Communications Commission to serve those subscribers over the air.

(c) To facilitate access by subscribers of a provider of advanced services or local exchange telephone service to the signals of local broadcast stations, a station either shall be granted mandatory carriage or may request retransmission consent with the provider.

(d) This title does not require a provider of advanced services or local exchange telephone service to provide a television or radio station valuable consideration in exchange for carriage.

(e) A provider of advanced services or local exchange telephone service shall transmit without degradation the signals a local broadcast station delivers to the provider. The transmission quality offered a broadcast station may not be lower than the quality made available to another broadcast station or video or audio programming source.

(f) A provider of advanced services or local exchange telephone service that delivers audio or video programming to its subscribers may not:

(1) discriminate among programming providers regarding transmission of their signals;

(2) delete, change, or alter a copyright identification transmitted as part of their signals; or

(3) deliver substantially similar programming from a broadcast station or other programmer outside a subscriber's broadcast coverage area.

(g) A provider of advanced services or local exchange telephone service that delivers audio or video programming to its subscribers shall include all programming providers in a subscriber programming guide that lists program schedules.

(2) Strike Subdivision (7), SECTION 43 of the bill (page 46, line 16), and substitute the following:

(7) Subchapters B-F, Chapter 62.