

116TH CONGRESS
1ST SESSION

S. _____

To provide for the carriage of certain television broadcast stations, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself and Ms. WARREN) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To provide for the carriage of certain television broadcast
stations, 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. CARRIAGE OF TELEVISION BROADCAST STA-**
4 **TIONS.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, a cable operator may transmit to subscribers
7 in Berkshire County, Massachusetts in the designated
8 market area of Albany, New York (in this section referred
9 to as the “Albany designated market area”), any television
10 broadcast station that—

1 (1) was retransmitted to subscribers located in
2 Berkshire County in the Albany designated market
3 area on December 1, 2016; and

4 (2) as of the date of enactment of this Act, is
5 not retransmitted to all subscribers in Berkshire
6 County in the Albany designated market area.

7 (b) NEGOTIATIONS.—A cable operator that engages
8 in the retransmission described in subsection (a) shall en-
9 gage in good faith negotiations within the meaning of sec-
10 tion 76.65 of title 47, Code of Federal Regulations, or any
11 successor thereto, with a television broadcast station re-
12 garding the terms of such retransmission.

13 (c) NONDUPLICATION.—Any television broadcast sta-
14 tion licensed to a community within the Albany designated
15 market area may assert network nonduplication or syn-
16 dicated exclusivity protections against any cable system in
17 any cable community located in Berkshire County, Massa-
18 chusetts.

19 (d) RULES OF CONSTRUCTION.—Nothing in this Act
20 shall be construed—

21 (1) to alter any contract provided under section
22 325 of the Communications Act of 1934 (47 U.S.C.
23 325); or

24 (2) to affect the applicability of any other com-
25 munications or copyright law related to the retrans-

- 1 mission of a television broadcast station by a cable
- 2 operator.