

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Utilities** recommends **SB 380** be amended on page 1, in line 14, by striking all after "153"; in line 15, by striking all before the period; in line 25, by striking all after "means"; by striking all in lines 26 and 27; in line 28, by striking all before "not" and inserting "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) ";

Also on page 1, in line 29, by striking the comma and inserting "and"; also in line 29, after "and" by inserting "does not have"; also in line 29, by striking "is not"; in line 30, by striking "11" and inserting "11½";

On page 2, by striking all in lines 14 through 18; in line 38, after "statutes" by inserting ", taxes";

On page 3, in line 35, after "(f)" by inserting "(1)"; in line 37, by striking "(1)" and inserting "(A)";

On page 4, by striking all in lines 1 through 3; in line 4, by striking "(5)" and inserting "(D) impose any fee, tax or charge other than any applicable federal and state taxes and the video service provider fee specified in K.S.A. 2019 Supp. 12-2024, and amendments thereto;

(E) require such holder to obtain any additional authorization or license for the provision of communications service over such holder's network;

(F)";

Also on page 4, in line 9, after the semicolon by inserting "and"; by striking all in lines 13 through 16; in line 17, by striking all before the period and inserting:

"(2) notwithstanding any provision to the contrary, a municipality may require the holder of a state-issued video service authorization to comply with the national electrical safety code and all industry recognized engineering safety standards; and

(3) except as provided in subparagraph (H), this subsection shall not prohibit a municipality from assessing any fees or rates or enforcing any regulations pursuant to K.S.A. 66-2019, and amendments thereto, on a video service provider";

On page 7, following line 4, by inserting:

"(o) Nothing in this act shall be construed to prohibit the owner of a utility pole from setting the rates, fees, terms and conditions of any pole attachment agreement with an authorized video service provider.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 2, by striking all after "of"; in line 3, by striking "prohibiting" and inserting "communications service; definitions; restricting"; also in line 3, by striking "enacting regulations" and inserting "imposing certain regulations and fees"; and the bill be passed as amended.

Chairperson