

---

# A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that public, educational,  
2   and governmental access channels are critical to government  
3   transparency and open access. Public, educational, and  
4   governmental access channels provide local residents unfiltered  
5   access to government broadcasts of the legislature, county  
6   councils, and neighborhood board meetings. Public, educational,  
7   and governmental access channels also serve an important  
8   consumer protection function, as the State uses these channels  
9   during natural disasters and emergencies to distribute  
10   information to the public.

11       The legislature further finds that any redesignation of  
12   public, educational, and governmental access channel numbers  
13   requires strategic and coordinated communication with the  
14   public, as lack of sufficient communication may cause confusion  
15   and lead to a decline in public viewership of these channels.  
16   Furthermore, access organizations that oversee public,  
17   educational, and governmental access programs may find it



1 difficult to rebrand their programs to the new channel number  
2 designations. Authorizing the department of commerce and  
3 consumer affairs to regulate public, educational, and  
4 governmental access channel number designations will help  
5 alleviate these concerns.

6 Accordingly, the purpose of this Act is to require the  
7 department of commerce and consumer affairs to regulate public,  
8 educational, and governmental access channel number  
9 designations.

10 SECTION 2. Chapter 440G, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13 "§440G- Regulation of channel number designation;  
14 public, educational, and governmental channels. (a)

15 Notwithstanding any law to the contrary, the department shall  
16 regulate all channel number designations and relocation of  
17 public, educational, and governmental access channels.

18 (b) No cable operator shall change the designation of a  
19 public, educational, and governmental access channel number or  
20 relocate a public, educational, and government access channel,  
21 except upon:



- 1        (1) Completion of a public outreach campaign, subject to  
2        approval by the cable television division;
- 3        (2) Mutual agreement between the cable operator and access  
4        organization designated to oversee development,  
5        operation, supervision, management, production, and  
6        broadcasting of programs for the public, educational,  
7        and governmental access channel; and
- 8        (3) Satisfaction of any other requirements established by  
9        the department.
- 10       (c) The department may adopt rules, pursuant to chapter  
11 91, to apply additional requirements to cable operators for the  
12 purposes of this section."

13       SECTION 3. New statutory material is underscored.

14       SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Public, Educational, and Governmental Access Channels; Channel Designation; Cable Operators; Consumer Protection

**Description:**

Requires the department of commerce and consumer affairs to regulate all channel designations and relocation of public, educational, and governmental access channels. Allows cable operators to relocate or change the designation of public, educational, and governmental access channels only under certain conditions. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

