

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 554

Short Title: Winston-Salem Franchises. (Local)

Sponsors: Representative Hanes (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Government, if favorable, Public Utilities and Energy.

April 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING UTILITY FRANCHISES IN THE CITY OF WINSTON-SALEM
3 AND OTHER INCORPORATED MUNICIPALITIES AS TO THEIR TERRITORY
4 WITHIN FORSYTH COUNTY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-319 reads as rewritten:

7 "**§ 160A-319. Utility franchises.**

8 (a) A city shall have authority to grant upon reasonable terms franchises for a telephone
9 system and any of the enterprises listed in G.S. 160A-311, except a—cable television
10 ~~system~~ systems and those enterprises listed in G.S. 160A-311(2) and (3). A franchise granted
11 by a city authorizes the operation of the franchised activity within the city. No franchise shall
12 be granted for a period of more than 60 years, except that a franchise for solid waste collection
13 or disposal systems and facilities shall not be granted for a period of more than 30 years.
14 Except as otherwise provided by law, when a city operates an enterprise, or upon granting a
15 franchise, a city may by ordinance make it unlawful to operate an enterprise without a
16 franchise.

17 (b) For the purposes of this section, "cable television system" means any system or
18 facility that, by means of a master antenna and wires or cables, or by wires or cables alone,
19 receives, amplifies, modifies, transmits, or distributes any television, radio, or electronic signal,
20 audio or video or both, to subscribing members of the public for compensation. "Cable
21 television system" does not include providing master antenna services only to property owned
22 or leased by the same person, firm, or corporation, nor communication services rendered to a
23 cable television system by a public utility that is regulated by the North Carolina Utilities
24 Commission or the Federal Communications Commission in providing those services."

25 **SECTION 2.** This act applies only to the City of Winston-Salem and to the area of
26 any other incorporated municipality as to its territory within Forsyth County.

27 **SECTION 3.** This act is effective when it becomes law.

