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HB 1308/96 - ECM

1997 Regular Session  
7r1360  
CF 7r2459

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**By: Delegates Krysiak, Minnick, Harkins, DeCarlo, Holt, Fry, Klausmeier, Mohorovic,  
Branch, Bonsack, Preis, Kirk, Boston, and Ports**

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Multichannel Video Programming Subscribers - Continued Access to Services**

3 FOR the purpose of authorizing certain subscribers to continue to receive certain  
4 multichannel video programming services notwithstanding any agreements to the  
5 contrary between certain persons and different multichannel video programming  
6 distributors; providing that certain persons may not interfere with the continued  
7 provision of certain multichannel video programming services; providing for  
8 compensation for physical damages; defining certain terms; and generally relating to  
9 multichannel video programming services.

10 BY adding to

11 Article - Commercial Law  
12 Section 14-1315  
13 Annotated Code of Maryland  
14 (1990 Replacement Volume and 1996 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Commercial Law**

18 14-1315.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (2) (I) "MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR"  
22 MEANS ANY PERSON THAT MAKES AVAILABLE FOR PURCHASE BY SUBSCRIBERS OR  
23 CUSTOMERS MULTIPLE CHANNELS OF VIDEO PROGRAMMING.

24 (II) "MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR"  
25 INCLUDES:

26 1. A CABLE OPERATOR;

27 2. A TELEPHONE COMPANY;

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1                                   3. A MULTICHANNEL OR MULTIPOINT DISTRIBUTION  
2 SERVICE;

3                                   4. A DIRECT BROADCAST SATELLITE SERVICE; OR

4                                   5. A TELEVISION RECEIVE-ONLY SATELLITE PROGRAM  
5 DISTRIBUTOR.

6                   (3) "SUBSCRIBER" MEANS A PERSON THAT RECEIVES SERVICES FROM:

7                                   (I) A MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR; OR

8                                   (II) A PERSON THAT DELIVERS SERVICES OVER A NETWORK  
9 OWNED, OPERATED, OR CONTROLLED BY A MULTICHANNEL VIDEO PROGRAMMING  
10 DISTRIBUTOR.

11           (B) A SUBSCRIBER OR TENANT THAT RESIDES IN A MULTIPLE DWELLING  
12 UNIT OF FIVE OR MORE UNITS THAT IS SITUATED ON ONE PARCEL OF PROPERTY  
13 FOR WHICH MULTICHANNEL VIDEO PROGRAMMING SERVICE HAS BEEN PROVIDED  
14 MAY CONTINUE TO REQUEST AND RECEIVE THAT MULTICHANNEL VIDEO  
15 PROGRAMMING SERVICE NOTWITHSTANDING ANY AGREEMENT TO THE CONTRARY  
16 BETWEEN A DIFFERENT MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR AND  
17 THE OWNER OF THE PROPERTY.

18           (C) AN OWNER OR THE OWNER'S AGENT MAY NOT INTERFERE WITH THE  
19 CONTINUED PROVISION OF MULTICHANNEL VIDEO PROGRAMMING SERVICES  
20 UNDER THIS SECTION.

21           (D) A MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR SHALL BE  
22 LIABLE TO THE LANDLORD FOR ANY PHYSICAL DAMAGE CAUSED BY THE  
23 INSTALLATION, OPERATION OR REMOVAL OF MULTICHANNEL VIDEO  
24 PROGRAMMING SERVICES. A LANDLORD MAY REQUIRE THAT THE INSTALLATION  
25 OF MULTICHANNEL VIDEO PROGRAMMING SERVICES CONFORM TO SUCH  
26 REASONABLE CONDITIONS AS ARE NECESSARY TO PROTECT THE SAFETY,  
27 FUNCTIONING AND APPEARANCE OF THE PREMISES, AND THE CONVENIENCE AND  
28 WELL-BEING OF TENANTS.

29           SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act  
30 may not be construed to apply to any contracts or agreements entered into between a  
31 multichannel video programming distributor and a property owner on or before June 30,  
32 1997.

33           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 July 1, 1997.