

SENATE, No. 994

STATE OF NEW JERSEY 215th LEGISLATURE

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Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires certain cable television companies to offer free Internet access to public libraries.

CURRENT VERSION OF TEXT

As introduced.



S994 GREENSTEIN

2

1 AN ACT concerning Internet access in public libraries and
2 supplementing P.L.1972, c.186 (C.48:5A-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. This act shall be known and may be cited as the "Public
8 Library Internet Access Act."

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10 2. The Legislature finds and declares that:

11 a. Access to the Internet is offered in a large number of public
12 libraries in this State;

13 b. The residents of this State increasingly use the Internet as
14 part of their daily lives as a means of obtaining news, maintaining
15 contact with family and friends, earning a livelihood, and accessing
16 online job postings and other employment information;

17 c. For many residents, the public library is the only venue
18 where they can access the Internet due to the high cost of
19 maintaining a computer system and Internet service in their homes;
20 and

21 d. The State has a compelling interest to ensure that residents
22 have access to the Internet as an important source of news and
23 economic opportunity.

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25 3. As used in this act:

26 "Board" means the New Jersey Board of Public Utilities or any
27 successor agency.

28 "Franchise" means an initial authorization, or renewal thereof,
29 issued by a franchising authority in accordance with the provisions
30 of P.L.1972, c.186 (C.48:5A-1 et seq.), whether such authorization
31 is designated as a franchise, permit, license, resolution, contract,
32 certificate, agreement or otherwise, which authorizes the
33 construction or operation of a cable television system.

34 "Cable television company" or "CATV company" means any
35 person or group of persons (1) who provides cable service over a
36 cable system and directly, or through one or more affiliates, owns a
37 significant interest in such cable system, or (2) who otherwise
38 controls or is responsible for, through any arrangement, the
39 management and operation of such cable system.

40 "Internet" means the international computer network of both
41 federal and non-federal interoperable packet switched data
42 networks.

43 "Public library" means a library that serves free of charge, all
44 residents of an area without discrimination and receives its financial
45 support, in whole or in part, from public funds. "Public library"
46 does not include any special-purpose library, such as a law school,
47 medical school, or any other school or academic library, which is
48 organized to serve a special clientele or purpose.

1 "System-wide franchise" means a competitive franchise issued
2 pursuant to P.L.1972, c.186 (C.48:5A-1 et seq.) which authorizes a
3 CATV company to construct or operate a cable television system in
4 any location within this State in which the CATV company, at the
5 time of the issuance of the system-wide franchise, either has plant
6 or equipment in use for the provision of any consumer video, cable,
7 or telecommunications service, including telephone service, or has
8 proposed to place such plant or equipment into use to provide such
9 service.

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11 4. Notwithstanding any law, rule, regulation, or order to the
12 contrary, any system-wide franchise, or franchise agreement
13 between a cable television company and a municipality to provide
14 cable television reception service to the municipality, issued or
15 approved by the board after the effective date of P.L. ,
16 c. (C.) (pending before the Legislature as this bill), or the
17 renewal of any such a franchise or agreement, shall require any
18 cable television company that offers Internet service to its
19 subscribers, to provide free access to Internet service to at least one
20 public library in each municipality served by the company in this
21 State.

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23 5. This act shall take effect immediately.

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STATEMENT

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28 This bill requires any cable television company ("CATV
29 company") that offers Internet service to its subscribers to provide
30 free Internet service to at least one public library in each
31 municipality served by the company. The free Internet service
32 requirement would take effect as part of any new system-wide
33 franchise or municipal franchise agreement, or renewal of such
34 franchise or agreement, that is issued or approved by the Board of
35 Public Utilities after the effective date of this bill.

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37 The Internet is an important source of news, social interaction,
38 and employment opportunities for the public, many of whom are
39 unable to afford the high cost of maintaining a computer system and
40 Internet access in their homes. By requiring CATV companies to
41 offer free Internet service to public libraries, many members of the
42 public who are currently unable to access the Internet due to
43 difficult economic circumstances will have a convenient, low-cost
44 means of making use of the benefits and opportunities provided by
the Internet.