

SATELLITE TELEVISION COMMUNITY PROTECTION AND PROMOTION ACT OF 2019

Protects Communities: This Act permanently reauthorizes the statutory license that allows satellite television providers to retransmit distant television networks to communities that might otherwise run a risk of losing access to network television (i.e., ABC, CBS, NBC, and Fox)—namely, those living in “short markets” that are missing one or more of the four network broadcast stations, and those who are not in fixed locations, RVs and commercial trucks.

Promotes Communities: This Act lets the statutory license expire, after a 120-day transition period, for communities that have local network stations, where it does not make sense to import distant network stations that do not carry local news, weather, or emergency alerts. There is already another statutory license allowing for “local-into-local” retransmission by satellite carriers, so there is a readily available legal means for satellite carriers to move to providing local broadcast signals where they are not currently doing so.

SECTION-BY-SECTION

Section 1. Short Title.

Section 2. Eligibility to Receive Signals Under a Distant-Signal Satellite License. Section 2(a) makes several amendments to 17 U.S.C. § 119, the provision of the copyright code creating the distant-signal satellite statutory license.

- **Section 2(a)(1)(A)(i)** conditions a satellite carrier’s eligibility to use the section 119 statutory license for “unserved households” (redefined below in § 2(a)(3) to include short markets and RVs/commercial trucks) on retransmitting local television broadcast stations in every one of the 210 television designated market areas (“DMAs”) where there are qualified local broadcasters after a transition period of 120 days (provided for below in § 2(b)(2)).
- **Section 2(a)(1)(A)(ii)** clarifies that use of the license for subscribers in short markets is limited to importing distant signals of only those networks that are not offered in the local market.
- **Section 2(a)(1)(B)-(C)** strikes certain language no longer applicable under the reconfigured license—namely, households where local broadcast networks are available (§ 119(a)(3), (a)(13)), and language related to signal measurements (§ 119(a)(9)-(10)) that are no longer needed because unserved households are no longer defined solely in relation to broadcast signal strength.

- **Section 2(a)(2)** amends 17 U.S.C. § 119(c)(1)(E) to state that voluntary agreements that were entered into under the statutory license are in effect under the terms of those agreements until the subscriber is no longer eligible to receive secondary transmissions under the bill.
- **Section 2(a)(3)** provides the following definitions:
 - *“Unserved household”* – defined as subscribers in short markets and RVs/commercial trucks; other categories previously allowing for the use of the distant signal license, notwithstanding the availability of local broadcast networks, are removed from the definition.
 - *“Local-into-local service to all DMAs”* – defined via a cross-reference to the same requirement in (redesignated) subsection (f), where providing local-into-local service was previously required for certain satellite carriers to continue to use the section 119 license under the Satellite Television Extension and Localism Act of 2010, Pub. L. 111-175.
 - *“Short market”* – a market missing one or more local broadcast networks, where availability of a local broadcast network is defined with reference to the broadcast being offered on the primary stream or multicast stream, reflecting the current practice of which types of local broadcast stations are carried under the statutory license for local-into-local carriage under 17 U.S.C. § 122.
- **Section 2(a)(4)-(5)** strikes 17 U.S.C. § 119(e) and (h). Subsection (e) refers to households no longer covered under the Act. Subsection (h) contains the license’s expiration date; its removal makes the statutory license for short markets and RVs/commercial trucks permanent. The remaining subsections are redesignated.
- **Section 2(b)(1)** establishes a 120-day transition period for a satellite carrier who wants to continue to use the section 119 distant signal statutory license to provide local-into-local service in all DMAs if it is not already doing so.
- **Section 2(b)(2)** incorporates several definitions by reference from section 119, since section 2(b) of this Act is uncodified.
- **Section 2(c)** provides several conforming amendments.