

**59-26-102 Definitions.**

As used in this chapter:

- (1) "County or municipality franchise fee" means a franchise fee that a county or municipality receives from a multi-channel video or audio service provider.
- (2) "Franchise fee" is as defined in 47 U.S.C. Sec. 542, except that the term "cable operator" or "cable subscriber" shall be interpreted to include a multi-channel video or audio service provider.
- (3)
  - (a) "Multi-channel video or audio service provider" means any person or group of persons that:
    - (i) provides multi-channel video or audio service and directly or indirectly owns a significant interest in the multi-channel video or audio service; or
    - (ii) otherwise controls or is responsible through any arrangement, the management and operation of the multi-channel video or audio service.
  - (b) "Multi-channel video or audio service provider" includes the following except as specifically exempted by state or federal law:
    - (i) a cable operator;
    - (ii) a CATV provider;
    - (iii) a multi-point distribution provider;
    - (iv) a MMDS provider;
    - (v) a SMATV operator;
    - (vi) a direct-to-home satellite service provider; or
    - (vii) a DBS provider.
- (4) "Municipality" means a city or town.

Amended by Chapter 288, 2007 General Session