

# HOUSE BILL No. 5574

(As amended December 1, 2009)

November 5, 2009, Introduced by Reps. Geiss, Mayes, Scripps, Melton and Horn and referred to the Committee on Energy and Technology.

A bill to amend 2006 PA 480, entitled "Uniform video services local franchise act," (MCL 484.3301 to 484.3314) by adding section 15.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 15. [(1)] EFFECTIVE JANUARY 1, 2010, THE COMMISSION WITHIN 30  
2 DAYS AFTER THE ENACTMENT INTO LAW OF ANY APPROPRIATION TO IT SHALL  
3 ASCERTAIN THE AMOUNT OF THE APPROPRIATION ATTRIBUTABLE TO THE  
4 ACTUAL COSTS TO THE COMMISSION IN EXERCISING ITS DUTIES UNDER THIS  
5 ACT AND THAT AMOUNT SHALL BE ASSESSED AGAINST EACH VIDEO SERVICE  
6 PROVIDER DOING BUSINESS IN THIS STATE. EACH PROVIDER SHALL PAY A  
7 PORTION OF THE TOTAL ASSESSMENT IN THE SAME PROPORTION THAT ITS  
8 NUMBER OF SUBSCRIBERS FOR THE PRECEDING CALENDAR YEAR BEARS TO THE  
9 TOTAL NUMBER OF VIDEO SERVICE SUBSCRIBERS IN THE STATE. THE TOTAL  
10 ASSESSMENT UNDER THIS SECTION SHALL NOT EXCEED \$1,000,000.00

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1 **ANNUALLY.**

[(2) FOR THE STATE FISCAL YEAR COMMENCING OCTOBER 1, 2009 AND ANNUALLY THEREAFTER, THERE SHALL BE DEDUCTED FROM ANY AMOUNT TO BE ASSESSED UNDER SUBSECTION (1) AN AMOUNT EQUAL TO THE DIFFERENCE BY WHICH THE ACTUAL EXPENDITURES OF THE COMMISSION ATTRIBUTABLE TO EXERCISING ITS DUTIES UNDER THIS ACT FOR THE PREVIOUS FISCAL YEAR ARE LESS THAN THE AMOUNT ASSESSED AGAINST EACH VIDEO SERVICE PROVIDER IN THE PREVIOUS FISCAL YEAR. THE DEDUCTIONS SHALL BE MADE IN THE SAME PROPORTION AS THE ORIGINAL ASSESSMENT IN SUBSECTION (1).]

(3) ALL MONEY PAID INTO THE STATE TREASURY BY A VIDEO SERVICE PROVIDER UNDER SUBSECTION (1) SHALL BE CREDITED TO A SPECIAL ACCOUNT, TO BE UTILIZED SOLELY TO FINANCE THE COST TO THE COMMISSION OF EXERCISING ITS DUTIES UNDER THIS ACT.]