

## EFFECTIVE DATE

Section effective 60 days after Oct. 30, 1984, except where otherwise expressly provided, see section 9(a) of Pub. L. 98-549, set out as a note under section 521 of this title.

**§ 558. Criminal and civil liability**

Nothing in this subchapter shall be deemed to affect the criminal or civil liability of cable programmers or cable operators pursuant to the Federal, State, or local law of libel, slander, obscenity, incitement, invasions of privacy, false or misleading advertising, or other similar laws, except that cable operators shall not incur any such liability for any program carried on any channel designated for public, educational, governmental use or on any other channel obtained under section 532 of this title or under similar arrangements unless the program involves obscene material.

(June 19, 1934, ch. 652, title VI, § 638, as added Pub. L. 98-549, § 2, Oct. 30, 1984, 98 Stat. 2801; amended Pub. L. 102-385, § 10(d), Oct. 5, 1992, 106 Stat. 1486.)

## AMENDMENTS

1992—Pub. L. 102-385 inserted before period at end “unless the program involves obscene material”.

## EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-385 effective 60 days after Oct. 5, 1992, see section 28 of Pub. L. 102-385, set out as a note under section 325 of this title.

## EFFECTIVE DATE

Section effective 60 days after Oct. 30, 1984, except where otherwise expressly provided, see section 9(a) of Pub. L. 98-549, set out as a note under section 521 of this title.

**§ 559. Obscene programming**

Whoever transmits over any cable system any matter which is obscene or otherwise unprotected by the Constitution of the United States shall be fined under title 18 or imprisoned not more than 2 years, or both.

(June 19, 1934, ch. 652, title VI, § 639, as added Pub. L. 98-549, § 2, Oct. 30, 1984, 98 Stat. 2801; amended Pub. L. 104-104, title V, § 503, Feb. 8, 1996, 110 Stat. 136.)

## AMENDMENTS

1996—Pub. L. 104-104 substituted “under title 18” for “not more than \$10,000”.

## EFFECTIVE DATE

Section effective 60 days after Oct. 30, 1984, except where otherwise expressly provided, see section 9(a) of Pub. L. 98-549, set out as a note under section 521 of this title.

**§ 560. Scrambling of cable channels for non-subscribers****(a) Subscriber request**

Upon request by a cable service subscriber, a cable operator shall, without charge, fully scramble or otherwise fully block the audio and video programming of each channel carrying such programming so that one not a subscriber does not receive it.

**(b) “Scramble” defined**

As used in this section, the term “scramble” means to rearrange the content of the signal of

the programming so that the programming cannot be viewed or heard in an understandable manner.

(June 19, 1934, ch. 652, title VI, § 640, as added Pub. L. 104-104, title V, § 504, Feb. 8, 1996, 110 Stat. 136.)

**§ 561. Scrambling of sexually explicit adult video service programming****(a) Requirement**

In providing sexually explicit adult programming or other programming that is indecent on any channel of its service primarily dedicated to sexually-oriented programming, a multichannel video programming distributor shall fully scramble or otherwise fully block the video and audio portion of such channel so that one not a subscriber to such channel or programming does not receive it.

**(b) Implementation**

Until a multichannel video programming distributor complies with the requirement set forth in subsection (a), the distributor shall limit the access of children to the programming referred to in that subsection by not providing such programming during the hours of the day (as determined by the Commission) when a significant number of children are likely to view it.

**(c) “Scramble” defined**

As used in this section, the term “scramble” means to rearrange the content of the signal of the programming so that the programming cannot be viewed or heard in an understandable manner.

(June 19, 1934, ch. 652, title VI, § 641, as added Pub. L. 104-104, title V, § 505(a), Feb. 8, 1996, 110 Stat. 136.)

## CONSTITUTIONALITY

For information regarding constitutionality of section 641 of act June 19, 1934, as added by section 505(a) of Pub. L. 104-104, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Appendix 1, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.

## EFFECTIVE DATE

Pub. L. 104-104, title V, § 505(b), Feb. 8, 1996, 110 Stat. 136, provided that: “The amendment made by subsection (a) [enacting this section] shall take effect 30 days after the date of enactment of this Act [Feb. 8, 1996].”

**§ 562. Requirements relating to charges for covered services****(a) Consumer rights in sales****(1) Right to transparency**

Before entering into a contract with a consumer for the provision of a covered service, a provider of a covered service shall provide the consumer, by phone, in person, online, or by other reasonable means, the total monthly charge for the covered service, whether offered individually or as part of a bundled service, selected by the consumer (explicitly noting the amount of any applicable promotional discount reflected in such charge and when such