

109TH CONGRESS
1ST SESSION

H. R. 3032

To require manufacturers and retailers to provide disclosure to consumers that analog televisions will no longer receive broadcast transmissions after the public broadcast spectrum changes to digital after December 31, 2006.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2005

Mr. GENE GREEN of Texas (for himself and Mr. GONZALEZ) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require manufacturers and retailers to provide disclosure to consumers that analog televisions will no longer receive broadcast transmissions after the public broadcast spectrum changes to digital after December 31, 2006.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “TV Truth Act of
5 2005”.

1 **SEC. 2. NOTICE TO CONSUMERS REGARDING ANALOG**
2 **TELEVISIONS.**

3 (a) **MANUFACTURER LABELING REQUIREMENT.**—It
4 is unlawful for any manufacturer of an analog television
5 to ship such a television in interstate commerce unless the
6 disclosure required in subsection (d) is displayed—

7 (1) on a removable label placed on the screen
8 of such television; and

9 (2) in a clear and conspicuous manner, on the
10 outside of the retail packaging of such television.

11 (b) **RETAIL NOTICE REQUIREMENT.**—It is unlawful
12 for any retail distributor to sell at retail or rent any analog
13 television unless such distributor places adjacent to such
14 television, a sign containing the disclosure required by
15 subsection (d).

16 (c) **INTERNET SALES NOTICE REQUIREMENT.**—It is
17 unlawful to sell, by means of an Internet transaction, any
18 analog television unless, prior to the conclusion of such
19 sale and as part of such Internet transaction, the seller
20 provides the buyer with a clear and conspicuous notice
21 containing the disclosure required by subsection (d).

22 (d) **CONTENT OF DISCLOSURE.**—The disclosure re-
23 quired by this section shall state, in both English and
24 Spanish languages, the following: “THIS ANALOG TEL-
25 EVISION WILL NO LONGER RECEIVE A BROAD-
26 CAST TELEVISION SIGNAL WITHOUT ADDI-

1 TIONAL EQUIPMENT AS EARLY AS DECEMBER
2 31, 2006, WHEN U.S. FEDERAL LAW WILL RE-
3 QUIRE BROADCAST TELEVISION TRANSMISSION
4 TO CHANGE FROM ANALOG SERVICE TO DIG-
5 ITAL SERVICE. FOR MORE INFORMATION, CALL
6 THE FEDERAL COMMUNICATIONS COMMISSION
7 AT 1-888-225-5322 (TTY: 1-888-835-5322) OR
8 VISIT THE COMMISSION'S WEBSITES AT:
9 www.dtv.gov or www.fcc.gov.”

10 **SEC. 3. ANALOG TELEVISION DEFINED.**

11 As used in this Act, the term “analog television”
12 means an apparatus designed to receive television signals
13 that is not capable of receiving and displaying signals in
14 the digital television service on the channels allocated to
15 such broadcasts.

16 **SEC. 4. ENFORCEMENT BY THE FTC.**

17 A violation of this Act shall be treated as a violation
18 of a rule defining an unfair or deceptive act or practice
19 prescribed under section 18(a)(1)(B) of the Federal Trade
20 Commission Act (15 U.S.C. 57a(a)(1)(B)). The Federal
21 Trade Commission shall enforce this Act in the same man-
22 ner, by the same means, and with the same jurisdiction
23 as though all applicable terms and provisions of the Fed-
24 eral Trade Commission Act were incorporated into and
25 made a part of this Act.

1 **SEC. 5. EFFECTIVE DATE.**

2 This Act shall take effect on the date that is 90 days
3 after the date of enactment of this Act.

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