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504

(DID NOT PASS WITH BILL)

D R A F T

Letter of Intent

The Judiciary Committee has considered and heard testimony regarding SB 504, an act relating to unauthorized access to or use of computer and telecommunications services. The version of the bill approved by the committee provides that a person may be prosecuted for theft of services if the person obtains cable, subscription, or pay TV services, known to be available only for compensation, by deception or other means to avoid payment for the services. AS 11.46.200(a)(1).

Section 2 of the bill, however, provides that a person may not be prosecuted for theft of cable, subscription, or pay TV services if the service was obtained through the use of a device designed to receive electromagnetic signals directly from a satellite, commonly referred to as a "home earth station". This means that, under state law, a person who owns a home earth station (now or in the future) may watch whatever signals the earth station will pick up - including signals broadcast by cable or pay TV distributors. The bill would not affect the application of any federal laws which may regulate this behavior.

With the exception of services obtained through a home earth station, the bill makes it a crime (theft) for a person to view, without payment of a fee, cable or pay TV services which are known to be available only for compensation. The bill does not prohibit the possession or use of any electronic device, except the use of a "descrambler", (whose only function is to descramble signals which have been scrambled to prevent unauthorized receipt or viewing). For example, a person may use an antenna in the 2 GHz range to listen to amateur radio transmissions, or to listen to broadcasts from a space shuttle. But the use of the same antenna to receive programming services broadcast by Multivisions in Anchorage would constitute theft of services if the person lives in an area where Multivisions service was available through the payment of a fee.

# Multivisions



November 30, 1983

Mr. Clark King  
Alaska Cable Television Association  
1725B Douglas Highway  
Douglas, Alaska 99824

Re: Proposed Anti-Theft Legislation

Dear Clark:

Per your request, I have reviewed a proposed work draft of a bill dealing with theft of telecommunications services. My comments on this draft are as follows:

1. The proposed addition of AS 11.46.200(c) would be extremely detrimental to any theft of service program. This subsection would allow, as a defense to prosecution the fact that a telecommunications provider (for whatever lawful reason) might choose not to sell to particular groups or individuals. For example, many premium movie services such as HBO prohibit exhibition of their programming in certain areas such as public viewing areas. Companies such as Multivisions (MVL) are therefore precluded from selling HBO in some situations. As I read the bill, a person could demand HBO service from MVL, be refused and then be insulated from prosecution if he intercepted our signal.

Similarly, 11.46.200 c (1) (B) seems to say that any non-commercial use of intercepted programming is permissible. This is, of course, totally unacceptable. Copyright laws, our contracts with program suppliers and, in some cases, FCC requirements prohibit companies such as MVL from allowing unauthorized interception of signals for any purpose.

2. 11.46.200 (c) (2) would exempt from prosecution all "pirate" microwave antennas such as those used to steal Visions programming in Anchorage. Under present state law and federal law, any unauthorized interception of microwave or other telecommunication signals is illegal. Interception of signals that are delivered in any part by wire or cable is also in violation of federal wiretap statutes. The proposed wording of AS 11.46.200 would be contrary to all of this present legislation.

4792 Business Park Blvd.  
Anchorage, Alaska 99503  
907/562-2400

Mr. Clark King  
November 30, 1983  
Page 2

3. The proposed new AS 11.46.482 (a)(5) would make sale of pirate microwave antennas Class C felony. I agree with this approach and believe ACTA should support this provision.
4. Section 7 of the proposed bill would clarify the definition of "services" for purposes of theft of services statutes to specifically include CATV and microwave communications. This clarification is well drafted and should be adopted.

Apparently, the reason for the proposed language discussed in 1 and 2 above is a desire to avoid interference with "home earth station" users in rural areas who cannot otherwise access satellite programming. Two comments are in order. First, there is no doubt under present law that many satellite signals can be lawfully received by home earth stations. Second, in the case of copyrighted material such as Home Box Office (HBO), nothing in the proposed state legislation can avoid the fact that unauthorized reception of such material is unlawful under federal law. As a practical matter, no cable operator or DCS or STV system is going to harass earth station users outside of their service areas. In fact, by trying to legitimize theft of copyrighted programming, the proposed bill may encourage HBO and other suppliers to take action against such individuals.

The proposed bill as presently drafted is unacceptable and would be a setback for theft of service efforts in Alaska. ACTA should work with the Administration to obtain legislation clearly prohibiting theft of service in all forms. It should be relatively easy to protect legitimate home earth station users and I would be happy, on behalf of ACTA, to meet with the appropriate people in the Administration to discuss this matter and to assist in preparing a revised draft. Please feel free to contact my office with any questions on the above.

Sincerely,

Theodore D. Berns

TB/ak

cc: Robert J. Gould

NCTA BOARD OF DIRECTORS' MEETING

THE MADISON HOTEL  
WASHINGTON, D.C.  
SEPTEMBER 22-23, 1983

THEFT OF CABLE SERVICE

Theft of service has become a major problem for the cable industry. NCTA estimates that as much as \$400 million in revenues were lost to cable pirates in 1982. In New York City alone, it believes that some 5,000 illegal hookups are depriving Manhattan Cable of \$1 million per year.

As theft of cable service has increased, cable operators have become more aggressive in trying to root out the problem. Cox Cable has conducted a massive public relations campaign to curb cable theft in San Diego. Cox has also employed New York's theft of service statute to prosecute several individuals for unauthorized reception of Cox's service. Cablevision in New Jersey and ARTEC in Virginia have utilized their respective states' theft of service statutes to prosecute cable pirates. Storer Cable relied upon Florida's theft of service statute to gain damages and an injunction against an individual who was selling and installing equipment that was being used to receive Storer's cable service at net cost.

Finally, Manhattan Cable recently brought a federal lawsuit against 27 individuals and 3 taverns who were illegally receiving Manhattan Cable's services. In addition to relying upon New York's theft of service law, Manhattan Cable claims that the defendants violated Section 605 of the Communications Act and the federal wiretap law.

The cable industry's efforts in this area have been hampered by the fact that the law has not kept pace with the theft of service problem. This report will examine the existing federal and state theft of service laws, the weaknesses of those laws, and the steps that are being taken to correct them.

Federal Laws

There are primarily two federal laws governing unauthorized reception of communications -- Section 605 of the Communications Act and the federal wiretap statute. Section 605 outlaws unauthorized interception of radio communications which are not intended for reception by the general public. Private parties can enforce this provision by bringing a civil damage suit against the interceptor. Section 2511 of the wiretap law prohibits interception of any wire or oral communications. Moreover, Section 2512 criminalize the manufacture, possession, distribution or advertising of equipment or

devices that are primarily useful for the surreptitious interception of wire or oral communications. Finally, Section 2520 of the statute authorizes parties whose communications have been intercepted to sue for damages.

These two statutes, however, may be of limited use in combating theft of cable service. For example, although cable service is not intended for reception by the general public, it is questionable whether cable services are "radio communications" for the purpose of Section 605. Although it can be argued that cable should fall within Section 605, there is no case law on the issue.<sup>1/</sup> The wiretap law is inadequate because it does not cover the interception of visual communications, such as video or text.<sup>2/</sup>

To correct these deficiencies in existing law, the Senate included theft of service language in S.66. Section 610(a) of that bill outlaws unauthorized reception of broadband (cable) services. A cable operator could rely on this provision in a civil damage action against a cable pirate. Additionally, Section 610(b) of the bill states that cable services are "wire communications" for the purposes of the wiretap statute. This change, of course, would subject pirates to civil and criminal liability under that law. Equally important, the Senate proposal would permit cable operators to use Section 2512 of the wiretap statute to reach those who manufacture, possess, distribute and advertise unauthorized converters, decoders and similar equipment.

S.66 having passed the Senate, the House Telecommunications Subcommittee is currently drafting cable deregulation legislation. NCTA has been assured that the draft bill will contain comprehensive language concerning theft of cable service, but the Association has not yet seen any specific proposals. Cox Cable is working on an equally comprehensive theft of service legislative proposal that could be tacked on to cable deregulation legislation or introduced as a separate bill.

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- 1/ Courts have ruled that Section 605 applies to theft of MDS and STV signals. Those over-the-air radio offerings, however, clearly fall within the class of "radio communications" protected by Section 605.
  - 2/ Also, although the statute refers to "wire communications," it only applies where the wire is provided by a common carrier which cable, of course, is not.

State Laws

Although all fifty states have theft of service laws, state statutes have not always been effective against cable pirates. Only 28 states, for example, have specifically outlawed theft of cable service. As a result, cable operators in other states face the troublesome task of seeking relief under statutes which outlaw theft of "telecommunications" or "public utility" services. Further, many state theft laws make intent to steal an essential element of the offense, thus encumbering the cable operator with difficult problems of proof. Many of those laws also do not reach the possession, sale or distribution of equipment that can be used to steal cable service. Finally, most state theft laws prescribe criminal penalties which can only be enforced by the state attorney general.

Fortunately, many states are moving to correct these defects in their theft of service laws. In the past two years, for example, six states have enacted specific cable theft of service laws <sup>3/</sup>. Additionally, many states are amending the mechanics of their theft of service statutes to make it easier for a cable operator to protect his services from unauthorized reception. New York, for example, recently enacted theft of cable service legislation which (1) prohibits the manufacture, possession, or distribution of any equipment with the knowledge that it will or could be used to steal cable service; (2) states that the possession, distribution, or manufacture of equipment that can be used to steal cable service without written consent of the cable operator shall be prima facie evidence of intent to steal service; and (3) authorizes cable operators to bring civil actions to enforce the statute. Seventeen other states have recently considered bills that would provide similar protections to cable operators.

NCTA has compiled a handbook of the various state theft of service laws. The Association is also drafting a model theft of cable service law for use by state cable associations.

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<sup>3/</sup> California, Louisiana, Michigan, New Jersey, New York and Oklahoma.

THEFT OF SERVICE

"COOKBOOK"

Prepared for California Cable  
Television Association

by

The CCTA Theft of Service Committee

7/83  
R. McRann, Chairman  
J. Haber  
T. Smith

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## INTRODUCTION

Theft of cable services has been an ever increasing problem to the cable industry. No cable system is without it. The more program channels the cable system adds to its service, the more desirable the product becomes. Cable TV has now become something that people understand. The public has become more sophisticated in how cable works and how to get it without paying for it. Everyone knows at least one other person who pirates cable TV signals in one form or another. From unauthorized connections to tampered or illegal converters, the problem is growing.

The NCTA has estimated that the cable industry is losing 700 million dollars annually to an estimated 6.75 million illegal users. There will always be cable theft, but there is something that can be done to reduce it. It starts with legislation, tougher cable theft laws, and a willingness on the part of cable management to use the tools at its disposal to crack down on cable piracy.

The following report outlines the steps that can be taken to reduce/eliminate theft of service, including a review of California Penal Code Section 593d and its effect on one system.

THE PROBLEM OF ONE CABLE TV SYSTEM:

o PROFILE

- 370,000 Homes Passed
- 225,000 Basic Subscribers
- 12.3% Unauthorized Hookups = 45,000
- Estimated 30,000 Tampered Decoders

o EQUIPMENT

- Basic Oak T-35
- Pay Oak MC-35 (HBO/Showtime/Galavision)  
Oak TC-35/56 (Playboy/Cinemax)

o SYSTEM REVENUE LOSS

--	45,000 x \$19.37 x 12	\$10,460,000
--	30,000 x \$ 8.00 x 12	<u>2,880,000</u>
	TOTAL	\$13,340,000

THE PROBLEM, NATIONWIDE - 1983

- o 30,000,000 Basic Subscribers
- o 12.3% Unauthorized Hookups = 3,690,000
- o 5% Estimated Tampered/Defeated Decoders = 1,500,000
- o Nationwide Revenue Lost:

--	3,690,000 x \$17.00 x 12	\$752,760,000
--	1,500,000 x \$ 8.00 x 12	<u>144,000,000</u>
	TOTAL	\$896,760,000

### RECOGNITION OF THE THEFT OF SERVICE PROBLEM:

Before any cable system can begin to tackle a theft of service problem, there first must be an acceptance by management that the problem exists to an extent that something must be done about it. Generally, management has a tendency to down play the extent of service theft because of other "higher priorities." System maintenance, customer service, installation and marketing programs are part of the cable system's day to day operation. At some time in the system's growth, there comes a realization that the penetration of services is not meeting the budget objectives. When revenue is effected, it may be time to analyze the extent of cable piracy, its causes and effect on the system. The data on the preceding page shows that service theft is a monumental problem for all cable systems.

### ANALYSIS OF THE PROBLEM:

In order to calculate the extent of cable piracy in the system, some measurements must be taken. Sample street or tap audits will have to be performed. Converter security should be investigated by doing random converter exchanges and inspections. The random samples should be large enough and reflect a cross section of the system's demographics. Once this data has been compiled and applied to the homes passed figures, a theft of service profile can be developed and a dollar revenue loss can be calculated.

#### PLAN DEVELOPMENT:

After service theft losses have been calculated, the system can assign the proper priority to a plan designed to reduce theft and recover revenue losses. In order to develop an effective plan, the system needs to identify the causes of service theft and their effect on the system. A long-range plan should be implemented that will both fix the problem internally and develop a theft of service campaign that ideally seeks voluntary compliance by the cable system's homes passed base before legal action is taken.

#### SYSTEM SECURITY:

Before any external theft of service campaign can be developed, a thorough internal program must be implemented to eliminate the cable system's own contribution to cable theft. This includes:

- Investigations into employee theft, with resulting terminations, prosecution and restitution.
- Pre-employment screenings and background checks on new employees.
- Procedures cleaned up to close loopholes in inventory control, field control, returned boxes, etc.
- Cable drop/tap security, particularly in multi-unit complexes and high churn areas.
- Improve decoder/converter security thereby reducing tampering.

- Consolidation and synchronization of converter tracking data bases.
- Improvement of installation/disconnect control procedures.
- Cable drop relabeling and identification procedures, particularly in multi-unit complexes.
- Where economically feasible, change decoders or traps to addressable products.

In addition, a system security/audit program should be established to police the system and uncover theft of service situations or conditions that contribute to it. Before a cable system looks toward implementing any external theft of service campaign, it must have made major inroads toward eliminating its internal contribution to the service theft problem.

#### REVIEW OF THE CABLE THEFT LAW:

In 1982, the California Legislature passed an amendment to PC 593d that provides for significant criminal and civil penalties for those who manufacture, sell, distribute or use illegal cable equipment. The law became effective on January 1, 1983 and now provides every California cable system with the tools necessary to recapture lost revenue. Violators can receive jail sentences of up to one year and fines that total \$25,000 for the most serious violations. (See attached copy of Amended Penal Code Section 593d.)

### GAINING LAW ENFORCEMENT/COMMUNITY SUPPORT:

As a corporate citizen in the communities that we do business, cable systems have the right to seek protection under the umbrella of the law and should do so. In order to obtain real protection, the cable system will have to enlist support from the community authorities. The most effective method to gain support is to make a presentation of the system's theft of service problems to the community's highest ranking officials. Ask for their support and for protection under the law. Suggest forming a task force with high ranking law enforcement officers to develop a plan to attack the problem. Be sure to outline the steps the system has already taken to reduce service theft situations internally. Offer to assign key system employees to do much of the leg work of the task force to keep community time and costs at a minimum.

The results of the cable theft task force meetings should be the formation of the steps, procedures, stages and responsibilities that each party will perform in the plan to crack down on cable piracy. It should be determined what and how evidence of cable theft should be obtained and what form the complaint should take. Agreement on the timing of each phase of the plan should be established.

### CAMPAIGN OBJECTIVES:

The primary objectives of a theft of service campaign should be to eliminate service theft through voluntary compliance and the recovery of lost revenue through the purchase of cable services from those involved in service theft.

To accomplish these objectives, the public must be made aware of the intent of the cable system to crack down on signal theft by prosecution of violators. Cable pirates must be given an opportunity to avoid prosecution and to save face. A "no questions asked" form of amnesty should be offered for violators who voluntarily comply with the cable system's offer to resolve the theft of service situations through either a converter exchange program or billing for those who do not have a service account.

The cable system's sales force should be used to man some type of converter exchange booth on the company's property. Most of the cable pirates will be receptive to subscribing to additional services at the time of voluntary compliance, providing the atmosphere is of a positive nature.

PUBLIC NOTICE:

As previously mentioned, the public must be made aware of the rules of the game and the consequences of not complying. A public awareness campaign must be launched to reach as many people as possible. The first step in this phase should be an open letter to subscribers outlining the extent of the service theft problem, the effect it is having on honest subscribers who, in effect, are subsidizing neighbors who have chosen not to pay. The letter should announce the launching of the theft of service campaign and the cable system's intentions to get tough with violators.

The campaign launch date should begin with a press conference. The local media, as well as community officials, should be invited. A prepared statement should be available that tells the extent of cable theft, both locally and nationally. It should explain the losses the cable system is experiencing, the effect on the honest subscriber and the franchise tax losses to the community. Attempt to have the District Attorney or some other top law enforcement official make a statement to the press on his or her support of the campaign and their intent to enforce the cable theft law by prosecuting violators.

A local ad campaign should immediately follow the press conference using as much newspaper print, radio and TV spots as is feasible. The more publicity from the campaign, the better the results will be.

PUBLIC IMAGE/ATTITUDE:

Plan ahead for the resulting coverage by the news media. Some inquiries will be positive, while some may be negative. Avoid having the cable system obtain the image as being the "bad guy" using scare tactics to get the "little guy."

Over the years, the public has developed the attitude that cable theft is a minor unenforceable infraction. They think of it as a challenge to beat the system; nobody wants to pay for TV. The campaign should be designed to change the public attitude. The theme should take the stand that cable signal theft is "no laughing

matter." It is theft, a crime just like shoplifting. Those who are stealing cable services are not only ripping off the cable system, but even more so--the general public. A business can absorb theft by adjusting prices, but in the end, it is the general public who ends up being the victim.

Public attitude is generally against big business, big government and public utilities. The support is not there for a cable system to make more money by making the "little guy" pay. The news media is aware of this and will seek the opportunity to do an investigative report showing the cable system to be the "bad guy." If the cable system is not careful, a negative image could develop from the campaign.

Public relations should be the guiding force in a campaign of this type. The public attitude must be changed and be developed into supporting the effort of the cable system to eliminate cable theft. Cable theft has reached the point that it no longer can be ignored. If the cable system is stunted, if it can no longer grow to its full potential, then who is the loser? Everyone is the loser.

APPENDIX - COX CABLE RESULTS

RESULTS THROUGH 7/15/83

0 9,900 DECODERS TURNED IN SINCE 2/21/83

0 3,200 ILLEGAL DECODERS DISCARDED (EST.)

0 6,100 ADDITIONAL SERVICES PURCHASED (62%)

0 1,300,000 RECOVERED TO DATE

-- 3,200 x \$19.37 x 12 \$ 743,000

-- 6,100 x \$ 8.00 x 12 586,000

TOTAL \$1,329,000

0 45 WARRANTS SERVED ON ILLEGAL HOOK-UPS

-- 18 CASES IN COURT AS OF 7/15/83

-- 27 CASES PASSED UP

-- ONE CONVICTION:

o \$300 FINE

o 3 YEAR PROBATION

o FINGERPRINTS ON FILE

Senate Bill No. 1505

CHAPTER 1342

An act to amend Section 593d of the Penal Code, relating to unauthorized cable television connections.

[Approved by Governor September 23, 1982. Filed with Secretary of State September 24, 1982.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1505, Montoya. Unauthorized cable television connection.

Existing law provides that every person who knowingly and willfully makes unauthorized connections, whether physically, electrically, or inductively or attaches any unauthorized device or devices to any cable, wire or other component of a franchise cable television system or to a television set for the purpose of intercepting any program carried by a franchised cable television system is guilty of a misdemeanor punishable by a fine not exceeding \$200 or imprisonment in the county jail not exceeding 30 days.

This bill would extend such prohibition to the making or maintaining of any modification or alteration to any device installed with the authorization of a franchised or otherwise duly licensed cable television system, for the purpose of intercepting or receiving any program or other service carried by the system. A violation of the provision would constitute a misdemeanor punishable by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 90 days or both. Each connection or attachment would constitute a separate violation.

The bill would also do all of the following:

(1) Prohibit every person who, without authorization, knowingly and willfully manufactures, imports into the state, distributes, sells, offers to sell, possesses for sale, or advertises for sale any device, or plan or kit for a device, or printed circuit, designed to decode, descramble or otherwise make intelligible any encoded, scrambled or other nonstandard signal carried by that cable television system. It would make a violation a misdemeanor punishable by a fine not exceeding \$10,000 or by imprisonment in the county jail, or both. A second or subsequent conviction would be punishable by a fine not exceeding \$20,000 or by imprisonment in the county jail for up to one year, or both.

(2) Permit any franchise cable television system to bring an action against the person who committed the violation for specified damages.

(3) Permit a franchise or otherwise duly licensed cable television system to bring an action to enjoin and restrain specified violations.

(4) Provide that it is not a necessary prerequisite to such actions that the plaintiff suffer, or be threatened with, actual damages.

Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

However, this bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 593d of the Penal Code is amended to read:

593d. (a) Every person who knowingly and willfully makes or maintains an unauthorized connection or connections, whether physically, electrically, or inductively, or purchases, possesses, attaches or maintains the attachment of any unauthorized device or devices to any cable, wire or other component of a franchised or otherwise duly licensed cable television system or to a television cable or set, or makes or maintains any modification or alteration to any device installed with the authorization of a franchised or otherwise duly licensed cable television system, for the purpose of intercepting or receiving any program or other service carried by a franchised or otherwise duly licensed cable television system which such person is not authorized by that cable television system to receive, is guilty of a misdemeanor punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding 90 days, or both. For the purposes of this section, each such purchase, possession, connection or attachment shall constitute a separate violation of this section.

(b) Every person who, without the express authorization of a franchised or other duly licensed cable television system, knowingly and willfully manufactures, imports into this state, distributes, sells, offers to sell, possesses for sale, or advertises for sale any device, or any plan or kit for a device or for a printed circuit, designed in whole or in part to decode, descramble or otherwise make intelligible any encoded, scrambled or other nonstandard signal carried by that cable television system, is guilty of a misdemeanor punishable by a fine not exceeding ten thousand dollars (\$10,000) or by imprisonment in the county jail, or both. For the purpose of this subdivision, "encoded, scrambled or other nonstandard signal" shall include, without limitation, any type of signal or transmission that is not intended to produce an intelligible program or service without the aid of a decoder, descrambler, filter, trap or some similar device. A second or subsequent conviction is punishable by a fine not exceeding twenty thousand dollars (\$20,000) or by imprisonment in the county jail for up to one year, or both.

(c) Any person who violates the provisions of this section shall be

liable to the franchised or otherwise duly licensed cable television system for the greater of the following amounts:

(1) Five thousand dollars (\$5,000).

(2) Three times the amount of actual damages, if any, sustained by the plaintiff, plus reasonable attorney's fees.

(d) Any franchised or otherwise duly licensed cable television system may, in accordance with the provisions of Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, bring an action to enjoin and restrain any violation of this section, and may in the same action seek damages as provided in subdivision (c).

(e) It is not a necessary prerequisite to an action pursuant to this section that the plaintiff has suffered, or be threatened with, actual damages.

SEC. 2. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

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SECTION 1. Section 69560 of the Government Code is amended to read:

69560. In the County of Alameda there shall be 23 judges of the superior court.

SEC. 2. The sum of one hundred eighty thousand dollars (\$180,000) is hereby appropriated from the General Fund to the State Controller for allocation and disbursement to local agencies pursuant to Section 2231 of the Revenue and Taxation Code to reimburse such agencies for costs incurred by them pursuant to this act.

CHAPTER 974

An act to add Section 593d to the Penal Code, relating to cable television.

[Approved by Governor September 22, 1975. Filed with Secretary of State September 23, 1975.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 593d is added to the Penal Code, to read: 593d. Every person who knowingly and willfully makes unauthorized connections, whether physically, electrically, or inductively, or attaches any unauthorized device or devices to any cable, wire or other component of a franchised cable television system or to a television set, for the purpose of intercepting any program carried by a franchised cable television system which such person is not authorized to receive, is guilty of a misdemeanor punishable by fine not exceeding two hundred dollars (\$200) or by imprisonment in the county jail not exceeding 30 days.

SEC. 2. Notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to this section nor shall there be any appropriation made by this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

CHAPTER 975

An act to amend Section 4305 of, and to repeal Chapter 4 (commencing with Section 4501) of Division 2 of, the Public Utilities Code, relating to transportation.