
OLR Bill Analysis

sSB 232

AN ACT CONCERNING STREAMING VIDEO SERVICES AND THE VOLUME OF COMMERCIAL ADVERTISEMENTS.

SUMMARY

Beginning January 1, 2027, this bill prohibits a streaming video service provider from transmitting the audio of commercial advertising on a streaming service with a volume that is louder than the Federal Communications Commission (FCC) regulations allow for television broadcasts or multichannel video programming distributors (such as cable operators or satellite providers who provide multiple channels of video programs to subscribers or customers) (see BACKGROUND – *FCC Regulations*).

The bill allows a provider to request, and the Department of Consumer Protection (DCP) to approve, a one-year waiver of this requirement based on significant financial hardship of compliance, which may be renewed. The bill does not define “significant financial hardship.”

Under the bill, DCP determines how to apply and the application must include:

1. the provider’s name and business address,
2. a description of the nature and extent of the financial hardship and supporting information, and
3. other information DCP reasonably requires.

The DCP commissioner must review an application, issue a decision, and notify the provider in a way set by DCP within 30 days after receiving an application. The notice must state the decision and its basis. If the commissioner approves a waiver, it is valid from the date the

commissioner sends notice of its approval. A provider can apply to renew a waiver before it expires and DCP must review a renewal application in the same way as for an initial application.

The bill allows the commissioner to adopt regulations to implement these provisions. Any violation of the bill's volume restrictions is a Connecticut Unfair Trade Practices Act (CUTPA) violation but the bill does not permit a person to bring a private lawsuit or class action for violations as is generally permitted for CUTPA violations (see BACKGROUND – CUTPA).

EFFECTIVE DATE: October 1, 2026

STREAMING VIDEO SERVICES AND PROVIDERS

The bill applies to streaming video services, which are services that make video (programming by or similar to television broadcasts but not consumer generated media) available to consumers through the Internet. A streaming service video provider is any person or entity that provides this service to consumers, other than a television broadcast station, multichannel video programming distributor (such as a cable operator), or a person who provides video content without commercial advertisements.

The bill uses the federal cable communications law's definitions of television broadcast station, multichannel video programming distributor, and cable operator (47 U.S.C. 522).

BACKGROUND

FCC Regulations

FCC regulations generally require television stations, cable operators, satellite providers, and certain others to have commercial advertising at a similar volume to the programming it accompanies. It deems a provider in compliance when using certain equipment and methods and provides various safe harbor provisions (47 C.F.R. §§ 73.682 and 76.607).

In February 2025, the FCC began a rulemaking process to consider updating its commercial loudness rules, including whether to apply them to streaming platforms (FCC-25-16, Docket No. 25-72).

CUTPA

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the DCP commissioner, under specified procedures, to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, impose civil penalties of up to \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It generally allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and up to \$25,000 for a restraining order violation.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 20 Nay 0 (03/11/2026)