

# COMMITTEE REPORT

## MR. PRESIDENT:

The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Replace the effective dates in SECTIONS 1 through 2 with
- 2           "[EFFECTIVE UPON PASSAGE]".
- 3           Page 2, between lines 5 and 6, begin a new paragraph and insert:
- 4           **"Sec. 6. As used in this chapter, "telecommunications" means**
- 5           **the electronic transmission, between or among points specified by**
- 6           **the user, of information of the user's choosing, without change in**
- 7           **the form or content of the information sent and received.**
- 8           **Sec. 7. As used in this chapter, "telecommunications service"**
- 9           **means the making of telecommunications available to the public**
- 10           **for a fee."**
- 11           Page 2, line 6, delete "6." and insert "**8. (a)**".
- 12           Page 2, between lines 11 and 12, begin a new paragraph and
- 13           insert:
- 14           **"(b) The term includes a microwave tower, common carrier**
- 15           **tower, cellular telephone and wireless communications tower,**
- 16           **tower for the transmission of paging services, and tower for the**
- 17           **transmission of personal communications services.**
- 18           **(c) The term does not include the following:**
- 19           **(1) A tower or a structure attached to a tower, a building, or**

- 1           **other structure that is used for the broadcast of radio or**  
 2           **television services.**
- 3           **(2) A utility pole.**
- 4           **(3) A satellite dish."**
- 5           Page 2, line 12, delete "7" and insert "9".
- 6           Page 2, line 14, delete "8" and insert "10".
- 7           Page 2, line 14, delete "9" and insert "11".
- 8           Page 2, line 21, delete "9" and insert "11".
- 9           Page 2, line 22, delete "10" and insert "12".
- 10          Page 2, line 22, after "chapter" insert "**and 47 U.S.C. 332(7)(B)**".
- 11          Page 2, line 29, delete "10" and insert "12".
- 12          Page 2, line 31, after "tower" insert "**in a location for which a**  
 13          **telecommunications tower is not a permitted use under the local**  
 14          **planning laws or ordinances then in effect"**.
- 15          Page 2, line 42, delete "11" and insert "13".
- 16          Page 2, line 42, delete "10" and insert "12".
- 17          Page 3, line 7, after "authority" insert "**and reasonably necessary**  
 18          **for its consideration of the application"**.
- 19          Page 3, line 8, delete "12" and insert "14".
- 20          Page 3, line 14, delete "13" and insert "15".
- 21          Page 3, line 17, delete "14" and insert "**16 (a)**".
- 22          Page 3, between lines 18 and 19, begin a new paragraph and  
 23          insert:
- 24          **"(b) A fee under subsection (a) may not exceed the lesser of the**  
 25          **following:**
- 26                 **(1) The administrative cost of processing the permit or**  
 27                 **approval application.**
- 28                 **(2) The fee charged by the local unit for a petition for a**  
 29                 **variance or special exception from a zoning ordinance."**
- 30          Page 4, between lines 1 and 2, begin a new paragraph and insert:  
 31          **"Sec. 7. As used in this chapter, "telecommunications" means**  
 32          **the electronic transmission, between or among points specified by**  
 33          **the user, of information of the user's choosing, without change in**  
 34          **the form or content of the information sent and received.**
- 35                 **Sec. 8. As used in this chapter, "telecommunications service"**  
 36          **means the making of telecommunications available to the public**  
 37          **for a fee."**
- 38          Page 4, line 2, delete "7." and insert "**9. (a)**".

1 Page 4, between lines 7 and 8, begin a new paragraph and insert:

2 "**(b) The term includes a microwave tower, common carrier**  
3 **tower, cellular telephone and wireless communications tower,**  
4 **tower for the transmission of paging services, and tower for the**  
5 **transmission of personal communications services.**

6 **(c) The term does not include the following:**

7 **(1) A tower or structure attached to a tower, a building, or**  
8 **other structure for the broadcast of radio or television**  
9 **services.**

10 **(2) A utility pole.**

11 **(3) A satellite dish."**

12 Page 4, line 8, delete "8" and insert "**10**".

13 Page 4, line 10, delete "9" and insert "**11**".

14 Page 4, line 16, delete "10" and insert "**12**".

15 Page 4, line 17, delete "11" and insert "**13**".

16 Page 4, line 17, after "chapter" insert "**and 47 U.S.C. 332(7)(B)**".

17 Page 4, line 24, delete "11" and insert "**13**".

18 Page 4, line 30, delete "12" and insert "**14**".

19 Page 5, line 4, delete "13" and insert "**15**".

20 Page 5, line 4, delete "12" and insert "**14**".

21 Page 5, line 11, after "body" insert "**and reasonably necessary for**  
22 **its consideration of the application**".

23 Page 5, line 12, delete "14" and insert "**16**".

24 Page 5, line 17, delete "15" and insert "**17**".

- 1 Page 5, after line 19 begin a new paragraph and insert:
- 2 "SECTION 3. **An emergency is declared for this act.**".  
(Reference is to SB 160 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 9, Nays 0.

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**Gard**

**Chairperson**