

An Act

ENROLLED HOUSE
BILL NO. 1921

By: DeWitt and Sherrer of the
House

and

Fields of the Senate

An Act relating to cities and towns; amending 11 O.S. 2011, Section 55-103, which relates to municipal ordinances regulating amateur radio antenna and support structures; requiring municipal ordinance to be minimal regulation; placing certain burdens upon an authority upon the denial of an application; and providing an effective date.

SUBJECT: Municipal ordinances regulating amateur radio antenna and support structures

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2011, Section 55-103, is amended to read as follows:

Section 55-103. A. As used in this section:

1. "Amateur radio" means the use of amateur radio and amateur satellite radio frequencies and services by qualified and federally authorized persons of any age who are interested in radio technique without pecuniary interest;

2. "Antenna" means an array of wires, tubing, or the like used for the transmission and reception of radio waves; and

3. "Antenna support structure" means a structure or framework that is designed to elevate an antenna above the ground for the purpose of increasing the effective communications range and reliability of an amateur radio station. Amateur radio antenna

support structures are removable by design and therefore are a removable structure for assessment purposes.

B. A municipal ordinance regulating amateur radio antenna or amateur radio antenna support structures shall ~~comply~~:

1. Comply with the requirements of 47 C.F.R., Section 97.15(b), as amended from time to time, ~~by allowing~~;

2. Allow for the erection of an amateur radio antenna or an amateur radio antenna support structure at a height and dimension sufficient to reasonably accommodate amateur radio service communications, and shall only constitute the minimum practicable regulation necessary to accomplish the intent of this section; and

3. Require that, upon denial of an application for approval of an amateur radio antenna or amateur radio antenna support structure, the authority denying the application state the reasons for the denial and on appeal bear the burden of proving that the actions of the authority are consistent with this section.

SECTION 2. This act shall become effective November 1, 2013.

Passed the House of Representatives the 26th day of February, 2013.

Mike Fisher
Presiding Officer of the House
of Representatives

Passed the Senate the 16th day of April, 2013.

A. J. Griffin
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 17th
day of April, 20 13, at 5:43 o'clock P M.
By: Audrey Reedwell

Approved by the Governor of the State of Oklahoma this 23rd
day of April, 20 13, at 3:58 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 23rd
day of April, 20 13, at 4:17 o'clock P. M.
By: Mary V. Pannan