

BILL ANALYSIS

Senate Research Center

H.B. 1345
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Intergovernmental Relations
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Engrossed

DIGEST

Currently, Texas law does not provide guidelines to regulate antennas for amateur radio operators. H.B. 1345 would require an ordinance by a municipality or county to regulate amateur radio antennas, and to comply with the Code of Federal Regulations and Federal Communications Commission.

PURPOSE

As proposed, H.B. 1345 regulates amateur radio antennas to comply with the Code of Federal Regulations and Federal Communications Commission.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 250, Local Government Code, by adding Section 250.002, as follows:

Sec. 250.002. REGULATION OF AMATEUR RADIO ANTENNAS. Prohibits a municipality or county from enacting or enforcing an ordinance or order that does not comply with the ruling of the Federal Communications Commission (FCC) in "Amateur Radio Preemption, 101 F.C.C. 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R. Part 97. Requires an ordinance or order to meet certain conditions, if a municipality or county adopts an ordinance or order involving the placement, screening, or height of an amateur radio antenna based on health, safety, or aesthetic conditions. Provides that this section does not prohibit an architectural or historical district established under law from taking any action that the district may take under law.

SECTION 2. Emergency clause.

Effective date: upon passage.