

Hall of the House of Representatives
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of House Bill No. 1874

TO ESTABLISH THE SMALL WIRELESS FACILITY DEPLOYMENT ACT.

Amendment No. 1 to House Bill 1874

Amend House Bill No. 1874 as originally introduced:

Page 5, delete line 16, and substitute the following:

"(14) "Controlled-access facility" means a highway or street described in § 27-68-102;

(15) "Decorative pole" means an authority pole that is"

AND

Page 5, line 22, delete "(15)" and substitute "(16)"

AND

Page 5, line 24, delete "(16)" and substitute "(17)"

AND

Page 5, line 25, delete "(17)" and substitute "(18)"

AND

Page 6, delete line 1, and substitute the following:

"(19) "Micro-wireless facility" means a wireless facility that:

(A) Is not larger in dimension than twenty-four inches (24") in length, fifteen inches (15") in width, and twelve inches (12") in height;

(B) Has an exterior antenna that is no longer than eleven inches (11"); and

(C) Is not placed any farther than ten feet (10') down the span as measured from the side of the pole;

(20) "Permit" means an authorization, written or otherwise,"

AND



Page 6, line 5, delete "(19)" and substitute "(21)"

AND

Page 6, line 8, delete "(20)(A)" and substitute "(22)(A)"

AND

Page 6, line 14, delete "(21)" and substitute "(23)"

AND

Page 6, line 15, delete "(22)(A)" and substitute "(24)(A)"

AND

Page 6, line 19, delete "highway or" and substitute "highway, controlled-access facility, or"

AND

Page 6, line 21, delete "(23)(A)" and substitute "(25)(A)"

AND

Page 7, line 17, delete "(24)" and substitute "(26)"

AND

Page 7, line 20, delete "(25)" and substitute "(27)"

AND

Page 7, line 25, delete "(26)" and substitute "(28)"

AND

Page 7, line 29, delete "(27)" and substitute "(29)"

AND

Page 7, line 31, delete "(28)" and substitute "(30)"

AND

Page 7, line 34, delete "(29)" and substitute "(31)"

AND

Page 7, line 36, delete "(30)(A)" and substitute "(32)(A)"

AND

Page 8, line 12, delete "(31)" and substitute "(33)"

AND

Page 15, line 5, delete "(a)" and substitute "(a)(1)"

AND

Page 15, line 9, delete "(1)" and substitute "(A)"

AND

Page 15, line 10, delete "(2)" and substitute "(B)"

AND

Page 15, delete line 13, and substitute the following:

"adopted aesthetic standards under § 23-17-508.

(2) A permit issued under subdivision (a)(1)(B) of this section remains subject to the rules of the Arkansas Department of Transportation."

AND

Page 19, line 19, delete "or"

AND

Page 19, delete line 22, and substitute the following:

"smaller; or

(C) The installation, placement, maintenance, operation, or replacement of a micro-wireless facility that is suspended on cables that are strung between existing poles and that complies with the applicable codes."

AND

Page 20, delete line 18, and substitute the following:

"(e) A wireless provider is not required to pay an authority compensation for micro-wireless facilities that are suspended on cables strung between existing utility poles in the right-of-way as long as the wireless provider compensates the authority through other licenses or franchises held directly or through one (1) of the wireless provider's affiliates for the placement of the suspension cables in the right-of-way.

(f) The rates under this section, together with a one-time application"

AND

Page 24, line 29, delete "In an" and substitute "(a) In an"

AND

Page 24, delete line 32, and substitute the following:

"permits under § 23-17-510, or require the payment of fees under § 23-17-511.

(b) This section does not restrict the authority of the Arkansas Department of Transportation over the location of a facility in a right-of-way controlled by the department."

The Amendment was read _____

By: Representative A. Davis

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Chief Clerk