

Regular Session, 1999

HOUSE BILL NO.

BY REPRESENTATIVE STELLY

PLANNING/ZONING-LOCAL: Limits authority of local governing bodies  
to regulate amateur radio antennas

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AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas;  
to provide that no parish or municipality may enact or enforce an  
ordinance or regulation that is in conflict with the ruling of the Federal  
Communications Commission or other regulations related to amateur  
radio service adopted under federal law; and to provide for related  
matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:102.1 is hereby enacted to read as follows:

§102.1. Regulation of amateur radio antennas

A. No parish or municipality may enact or enforce an ordinance  
or regulation that is in conflict with the ruling of the Federal  
Communications Commission in "Amateur Radio Preemption, 101  
FCC 2nd 952 (1985)" or other federal regulations related to amateur  
radio service, including 47 C.F.R. Part 97.

B. If a parish or municipality adopts an ordinance or regulation  
involving the placement, screening, or height of an amateur radio

- 1           antenna based on health, safety, or aesthetic conditions, the ordinance  
2           or regulation must:
- 3                   (1) Reasonably accommodate amateur communications; and  
4                   (2) Represent the minimal practicable regulation to accomplish  
5           the parish's or municipality's legitimate purpose.
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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Stelly

HB No.

Proposed law provides that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or other federal regulations related to amateur radio service, including 47 C.F.R. Part 97.

Proposed law further provides that if a parish or municipality adopts an ordinance or regulation involving the placement, screening, or height of an amateur radio antenna based on health, safety, or aesthetic conditions, the ordinance or regulation must:

- (1) Reasonably accommodate amateur communications; and
- (2) Represent the minimal practicable regulation to accomplish the parish's or municipality's legitimate purpose.

(Adds R.S. 33:102.1)