

HOUSE BILL NO. 496

INTRODUCED BY D. DUNN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TELECOMMUNICATIONS SITING LAW; RESTRICTING THE SITING OF SMALL CELL NETWORK EQUIPMENT NEAR SCHOOLS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Definitions. As used in [sections 1 and 2], the following definitions apply:

(1) "Collocation" means the act of siting facilities on an existing structure without the need to construct a new support structure and without a substantial change in the size of an existing wireless service facility.

(2) "Distributed antenna system" means a network system consisting of one or more nodes connected by a fiber system to a wireless service provider's base transceiver station or other location.

(3) "School" means any institution for the teaching of children as provided for in 20-6-501.

(4) "Small cell network" means a network consisting of one or more nodes connected, directly or indirectly, by fiber to a wireless service provider's mobile switching center or other point of interconnection.

(5) "Wireless service provider" means an entity that is authorized by the federal communications commission to provide facilities-based commercial mobile communications service within the state.

NEW SECTION. Section 2. Wireless service infrastructure siting -- small cell networks. (1) Except as provided in subsection (2), a wireless service provider may not:

(a) site distributed antenna systems and small cell networks on school property; or

(b) collocate distributed antenna systems and small cell networks on existing communications infrastructure located on school property.

(2) A municipal or county government may develop standards for wireless service infrastructure siting that include but are not limited to the provisions included in this section.

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 7, and the provisions of Title 7 apply to [sections 1 and 2].



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2 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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