

SECOND REGULAR SESSION

# HOUSE BILL NO. 1928

97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROSS.

5788H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 392, RSMo, by adding thereto one new section relating to communication service provider infrastructure.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 392, RSMo, is amended by adding thereto one new section, to be  
2 known as section 392.615, to read as follows:

**392.615. 1. Notwithstanding any provision of law to the contrary, no political  
2 subdivision shall have the authority to require the removal or relocation of infrastructure  
3 owned by a communication service provider which is lawfully located on private property  
4 in the public right-of-way, or attached to a utility pole, unless such political subdivision  
5 agrees to pay the owner of the infrastructure reasonable costs incurred in order to comply  
6 with the political subdivision's request.**

7 **2. This section shall not apply:**

8 **(1) To the costs incurred to remove or relocate infrastructure owned by a  
9 communication service provider which has been reasonably determined by the political  
10 subdivision to pose a clear and present danger to public health or safety due to the  
11 infrastructure being in a state of disrepair; or**

12 **(2) If the requesting political subdivision and the infrastructure owner have entered  
13 into a franchise agreement governing relocation of such infrastructure.**

14 **3. For the purposes of this section, the following terms shall mean:**

15 **(1) "Communication service provider", a wireless service provider, broadband or  
16 other internet protocol enabled service provider, video service provider, or other  
17 communications related service provider;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           (2) **“Wireless service provider”, a provider of commercial mobile service under**  
19 **section 332(d) of the Federal Wireless Telecommunications Act of 1996.**

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