

SS SCS SB 650 -- WIRELESS COMMUNICATIONS INFRASTRUCTURE DEPLOYMENT

This bill changes the laws regarding the Uniform Wireless Communications Infrastructure Deployment Act. The bill specifies that the act is intended to also encourage and streamline the deployment of broadcast facilities and to help ensure that robust wireless radio-based communication services are available throughout Missouri.

The definition of "collocation" is revised from the placement or installation of a new wireless facility on existing structure to the placement or installation of a new wireless facility on a structure that already has an existing wireless facility. The definition of "substantial modification" is revised as it applies to the wireless support structure as it was originally constructed to a structure that increases the square footage of the existing equipment compound by more than 1,250 square feet instead of the current by more than 2,500 square feet.

Currently, an authority is not allowed to take specified actions against a wireless communications service provider. The bill specifies that for collocation to any certified historic structure, in addition to all other applicable time requirements, there must be a 30-day time period before approval of an application. During that period, an authority must hold one or more public hearings on the collocation. An authority must not establish or enforce regulations or procedures for environmental safety for any wireless facility that is inconsistent with or in excess of those required by Office of Engineering and Technology Bulletin 65.

The bill changes, from within 90 to within 120 days, the time period in which the authority with jurisdiction over planning and zoning regulations must review and process an application for a substantial modification of a wireless communications support structure. Currently, any party aggrieved by the final action of an authority by application denial or by its inaction may bring an action for review in any court of competent jurisdiction. The bill specifies that the court must be within this state.

Currently, if a wireless infrastructure provider and an authority disagree on the rental, license, or other fee for locating a wireless support structure on an authority's property, the market rate must be determined by a panel of three certified appraisers. The bill specifies that the market rate must be determined by a licensed state-certified general real estate appraiser mutually agreed upon by the parties at the applicant's cost. If either party is dissatisfied with the market value determined by the appraiser, the party may bring an action for review in any court of competent jurisdiction. The court must rule on any petition for

review in an expedited manner.