

1 ENGROSSED HOUSE  
2 BILL NO. 1921

By: DeWitt and Sherrer of the  
House

3 and

4 Fields of the Senate  
5  
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7 An Act relating to cities and towns; amending 11 O.S.  
8 2011, Section 55-103, which relates to municipal  
9 ordinances regulating amateur radio antenna and  
10 support structures; requiring municipal ordinance to  
be minimal regulation; placing certain burdens upon  
an authority upon the denial of an application; and  
providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 11 O.S. 2011, Section 55-103, is  
15 amended to read as follows:

16 Section 55-103. A. As used in this section:

17 1. "Amateur radio" means the use of amateur radio and amateur  
18 satellite radio frequencies and services by qualified and federally  
19 authorized persons of any age who are interested in radio technique  
20 without pecuniary interest;

21 2. "Antenna" means an array of wires, tubing, or the like used  
22 for the transmission and reception of radio waves; and

23 3. "Antenna support structure" means a structure or framework  
24 that is designed to elevate an antenna above the ground for the

1 purpose of increasing the effective communications range and  
2 reliability of an amateur radio station. Amateur radio antenna  
3 support structures are removable by design and therefore are a  
4 removable structure for assessment purposes.

5 B. A municipal ordinance regulating amateur radio antenna or  
6 amateur radio antenna support structures shall ~~comply:~~

7 1. Comply with the requirements of 47 C.F.R., Section 97.15(b),  
8 as amended from time to time, ~~by allowing;~~

9 2. Allow for the erection of an amateur radio antenna or an  
10 amateur radio antenna support structure at a height and dimension  
11 sufficient to reasonably accommodate amateur radio service  
12 communications, and shall only constitute the minimum practicable  
13 regulation necessary to accomplish the intent of this section; and

14 3. Require that, upon denial of an application for approval of  
15 an amateur radio antenna or amateur radio antenna support structure,  
16 the authority denying the application state the reasons for the  
17 denial and on appeal bear the burden of proving that the actions of  
18 the authority are consistent with this section.

19 SECTION 2. This act shall become effective November 1, 2013.  
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1 Passed the House of Representatives the 26th day of February,  
2013.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2013.

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7 Presiding Officer of the Senate