ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: COM DPA 8-2-0-0

HB 2711: antenna use; private property
Sponsor: Representative Nutt, LD 14
Caucus & COW

Overview
Prohibits an Authority from unreasonably interfering with antennas on private property.

History
Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals and that is used in providing wireless services.

Authority means any city, town, special district or political subdivision of this state that is authorized to make legislative, quasi-judicial or administrative decisions concerning an application. Authority does not include any state court that has jurisdiction over an authority and does not include a county, special taxing district, or electric cooperative (A.R.S. § 9-591).

Provisions
1. Prohibits an Authority, when an antenna is installed on property within the exclusive use or control of the antenna user from:
   a) Unreasonably delaying or preventing installation, maintenance or use of the antenna.
   b) Unreasonably increasing the cost of installation, maintenance or use of the antenna.
   c) Preventing reception of acceptable signal quality. (Sec. 2)

2. Specifies Authority prohibitions apply to antennas that are not larger than one meter in diameter and installed on private property. (Sec. 2)

3. Changes the heading of Title 9, Chapter 5, Article 8 of the A.R.S. from *Use of Public Highways by Wireless Providers* to *Use of Public Highways and Private Property by Wireless Providers.* (Sec. 1)

Amendments
Committee on Commerce

1. Adds the prohibitions apply to antennas that are designed to receive video programming services via broadband radio service or to receive or transmit wireless signals other than by satellite.

2. Specifies the prohibitions do not apply to antennas used to transmit signals to and or receive signals from multiple customer locations.

☐ Prop 105 (45 votes)   ☐ Prop 108 (40 votes)   ☐ Emergency (40 votes)   ☐ Fiscal Note