

SESSION OF 2008

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2805

As Recommended by House Committee on
Elections and Governmental Organization

Brief*

HB 2805 would create the Kansas Emergency Communications Preservation Act regarding federally licensed amateur radio service communications. The bill would:

- Prohibit a city or county governing body from taking any action that precludes federally licensed amateur radio service communications, or that does not conform to federal regulations related to amateur radio antenna facilities.
- Require that any action taken by a city or county governing body to regulate the placement, screening, number or height of a station antenna structure based on health, safety or aesthetic considerations:
 - Reasonably accommodate federally licensed amateur radio service communications; and
 - Constitute the minimum regulation practicable to carry out the governing body's legitimate purpose.
- Deem void any action taken in violation of this bill.
- Exempt any federal, state or local historic or architectural preservation district from the bill's provisions.
- Exempt station antenna structures constructed prior to the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

bill's effective date from subsequent changes in zoning regulations, and authorize such structures to be repaired as required.

- Define a number of terms, including “amateur radio services”, “amateur service communications”, “amateur station”, and “station antenna structures”.

Background

A number of amateur radio operators and members of amateur radio organizations testified in favor of the bill. The League of Kansas Municipalities and the Kansas Association of Counties testified in opposition.

The fiscal note indicates passage of the bill would have no fiscal effect on local governments.