

CERTIFICATION OF ENROLLMENT

SENATE BILL 5697

Chapter 50, Laws of 1994

53rd Legislature
1994 Regular Session

AMATEUR RADIO--LOCAL REGULATION

EFFECTIVE DATE: 3/23/94

Passed by the Senate January 28, 1994
YEAS 42 NAYS 5

JOEL PRITCHARD

President of the Senate

Passed by the House March 1, 1994
YEAS 97 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 23, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5697** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 23, 1994 - 9:06 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5697

Passed Legislature - 1994 Regular Session

State of Washington

53rd Legislature

1993 Regular Session

By Senator Bluechel

Read first time 02/10/93. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to radio communication; adding a new section to
2 chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding
3 a new section to chapter 36.32 RCW; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
6 to read as follows:

7 No city or town shall enact or enforce an ordinance or regulation
8 that fails to conform to the limited preemption entitled "Amateur Radio
9 Preemption, 101 FCC 2nd 952 (1985)" issued by the federal
10 communications commission. An ordinance or regulation adopted by a
11 city or town with respect to amateur radio antennas shall conform to
12 the limited federal preemption, that states local regulations that
13 involve placement, screening, or height of antennas based on health,
14 safety, or aesthetic considerations must be crafted to reasonably
15 accommodate amateur communications, and to represent the minimal
16 practicable regulation to accomplish the local authority's legitimate
17 purpose.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21 RCW
2 to read as follows:

3 No code city shall enact or enforce an ordinance or regulation that
4 fails to conform to the limited preemption entitled "Amateur Radio
5 Preemption, 101 FCC 2nd 952 (1985)" issued by the federal
6 communications commission. An ordinance or regulation adopted by a
7 code city with respect to amateur radio antennas shall conform to the
8 limited federal preemption, that states local regulations that involve
9 placement, screening, or height of antennas based on health, safety, or
10 aesthetic considerations must be crafted to reasonably accommodate
11 amateur communications, and to represent the minimal practicable
12 regulation to accomplish the local authority's legitimate purpose.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.32 RCW
14 to read as follows:

15 No county shall enact or enforce an ordinance or regulation that
16 fails to conform to the limited preemption entitled "Amateur Radio
17 Preemption, 101 FCC 2nd 952 (1985)" issued by the federal
18 communications commission. An ordinance or regulation adopted by a
19 county with respect to amateur radio antennas shall conform to the
20 limited federal preemption, that states local regulations that involve
21 placement, screening, or height of antennas based on health, safety, or
22 aesthetic considerations must be crafted to reasonably accommodate
23 amateur communications, and to represent the minimal practicable
24 regulation to accomplish the local authority's legitimate purpose.

25 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and shall take
28 effect immediately.

 Passed the Senate January 28, 1994.

 Passed the House March 1, 1994.

 Approved by the Governor March 23, 1994.

 Filed in Office of Secretary of State March 23, 1994.