
**Technology & Economic Development
Committee**

HB 2592

Brief Description: Concerning the efficient deployment of small cell network infrastructure.

Sponsors: Representative Morris.

Brief Summary of Bill

- Creates a designation process for local governments that demonstrate investment readiness for small cell infrastructure.

Hearing Date: 1/18/18

Staff: Lily Smith (786-7175).

Background:

A "small cell facility" is a personal wireless services facility where:

- each antenna and any exposed elements would fit within no more than three cubic feet; and
- primary equipment enclosures are no larger than 17 cubic feet in volume.

Personal wireless services providers use poles, conduits, or rights-of-way owned by other providers or government entities to attach service equipment. Cities and towns can require providers to pay franchise fees or other fees or charges for the use of the right-of-way, as well as site-specific charges for placement of personal wireless facilities on structures owned by the municipality.

The Department of Commerce (Department) manages statewide programs relating to various areas of economic development, including planning and infrastructure. The Department is vested with the authority to oversee adoption and deployment efforts on behalf of the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Local governments that demonstrate the following to the Department are designated investment-ready for advanced and new wireless technologies:

- a streamlined and predictable permit process period for installations in the right-of-way that is no longer than 12 months;
- a non-discriminatory and competitively neutral application of installation standards; and
- either (1) adoption of a deployment ordinance outlining standards when seeking a master permit; or (2) use of an existing mechanism to exempt small cell infrastructure from land use requirements.

The ordinance or other mechanism adopted by the local government must:

- treat service providers in a competitively neutral and nondiscriminatory manner except in certain circumstances for first-to-deploy;
- allow certain maintenance and replacement work without requiring an application, permit, or fee; and
- include a fee schedule with certain parameters and allowances, including cost recovery and annual rates.

The Department must list the designated local governments on its web site.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.