AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas; to provide that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission or other regulations related to amateur radio service adopted under federal law; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:102.1 is hereby enacted to read as follows:

§102.1. Regulation of amateur radio antennas

A. No parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or other federal regulations related to amateur radio service, including 47 C.F.R. Part 97.

B. If a parish or municipality adopts an ordinance or regulation involving the placement, screening, or height of an amateur radio

CODING: Words in struck-through type are deletions from existing law; words underscored are additions.
antenna based on health, safety, or aesthetic conditions, the ordinance
or regulation must:

(1) Reasonably accommodate amateur communications; and

(2) Represent the minimal practicable regulation to accomplish
the parish's or municipality's legitimate purpose.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Proposed law provides that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or other federal regulations related to amateur radio service, including 47 C.F.R. Part 97.

Proposed law further provides that if a parish or municipality adopts an ordinance or regulation involving the placement, screening, or height of an amateur radio antenna based on health, safety, or aesthetic conditions, the ordinance or regulation must:

(1) Reasonably accommodate amateur communications; and

(2) Represent the minimal practicable regulation to accomplish the parish's or municipality's legitimate purpose.

(Adds R.S. 33:102.1)