



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

SENATE BILL NO. 1345

PRINTERS NO. 2285

PRIME SPONSOR: Folmer

### COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	\$0

**SUMMARY:** Senate Bill 1345, Printer's Number 2285, creates a freestanding act providing for streamlined procedures for reviewing applications for the modification or collocation of wireless communications facilities and wireless support structures.

**ANALYSIS:** This legislation shall be known as the Wireless Broadband Collocation Act and will streamline and standardize the process for collocation or modification of wireless telecommunications facilities on existing support structures. Collocation refers to the installation of new facilities on previously approved and constructed support structures such as towers, electrical transmission towers, water towers, etc. Modification refers to the improvement, upgrade, expansion or replacement of existing wireless telecommunications facilities if there is no substantial change to the physical dimensions of the support structure.

To be eligible under the provisions of the legislation the collocation or modification must comply with all applicable conditions of approval that were applied to the initial structure and may not substantially change the physical dimensions of the structure. An application for replacement, modification or collocation of a wireless support structure shall be reviewed for conformance with the municipality's applicable building permit requirements, but shall not be subject to the issuance of new zoning or land use approvals or review beyond the initial zoning or land use approvals issued for the previous structure.

Nothing in this legislation shall be construed to limit or preempt the scope of a municipality's review of the land use, zoning or permit applications for the initial siting of the structure; prevent a municipality from exercising its zoning power; or prevent a municipality from regulating any modification or collocation that substantially changes the existing structure that is inconsistent with this legislation.

Municipalities may require payment of a zoning permit fee to accompany the application which is not to exceed the actual, reasonable costs to review and process the application or \$1,000, whichever is less.

The act shall take effect in 60 days.

**FISCAL IMPACT:** Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds. Municipalities will be able to recoup any costs associated with reviewing and processing applications with the fee provided in the legislation.

**PREPARED BY:** Ritchie LaFaver  
House Appropriations Committee (R)

**DATE:** October 2, 2012

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*