



Legislative Council Staff

Research Note

Version: Final

Date: 4/21/2017

Bill Number

House Bill 17-1193

Sponsors

***Representatives Kraft-Tharp &
J. Becker
Senators Tate & Kerr***

Short Title

***Small Cell Facilities Permitting
And Installation***

Research Analyst

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Status

This research note reflects the final version of the bill which becomes effective on July 1, 2017.

Background

Small cell facilities are miniature cell towers that add additional capacity to a service providers' macro cell network of large cell towers. A low-power amplifier is placed on a pole or traffic signal and connected back to the base station through fiber optic cable. Each small cell facility covers an area ranging from approximately 800 to 1,300 feet and wireless providers are looking to use these facilities to eventually provide 5G wireless service coverage.

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House Action

House Business Affairs and Labor Committee (February 28, 2017). At the hearing, representatives from the CTIA wireless industry trade association, Verizon, Sprint, and T-Mobile testified in support of the bill. A representative from the Associated Governments of Northwest Colorado testified in opposition to the bill. Representatives from the Colorado Cable Telecommunications Association, the Colorado Municipal League, and Colorado Counties, Inc. testified in a neutral position.

The committee adopted amendments L.001 as amended by L.004, and L.003. Amendment L.001, as amended, added several definitions to the bill and specified that local governments may not require an application or permit, or charge a fee for the installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cables that are strung between existing utility poles that are in compliance with national safety codes. L.003 specified that a small cell facility or network may not be located or mounted on any apparatus, pole, or signal with tolling collection or enforcement equipment attached.

House second reading (March 3, 2017). The House adopted the House Business Affairs and Labor Committee report and Amendment No. 2. Amendment No. 2 removed the \$200 limit on the amount that a local government may receive per pole or structure from a provider in exchange for granting permission to attach small cell facilities or broadband devices to structures that are in a right-of-way and are owned by the local government.

House third reading (March 7, 2017). The House passed the bill on third reading with no amendments.

Senate Action

Senate Local Government Committee (March 21, 2017). At the hearing, representatives from the CTIA wireless industry trade association, Sprint, Verizon, ConcealFab Corporation, CompTIA, and T-Mobile spoke in support of the bill. Representatives from the Colorado Municipal League, Colorado Counties, Inc., and the Colorado Communications and Utility Alliance testified on the bill from a neutral position.

The committee adopted amendment L.006 and referred the bill to the Senate Committee of the Whole. Amendment L.006 clarified the situations when a local government entity may impose a fee or require an application or permit for the installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cables that are strung between existing utility poles that are in compliance with national safety codes.

Senate second reading (March 28, 2017). The Senate adopted the Senate Local Government Committee report and passed the bill, as amended, on second reading.

Senate third reading (March 29, 2017). The Senate passed the bill on third reading with no amendments.