

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 753 (Senator Young)
Economic and Environmental Affairs

Zoning - Personal Wireless Services - Antennas and Antenna Towers

This bill authorizes local governments to adopt criteria and standards for the location of personal wireless services facilities, including antennas and antenna towers; adopt procedures for processing applications for permits for personal wireless services; and impose additional requirements on applicants for permits. The bill specifies that the preferred sequence for siting personal wireless services facilities is (1) public property; (2) industrial zones; (3) commercial zones; (4) multi-family residential zones; and (5) single-family residential zones.

The bill does not require a local government to adopt the standards and criteria in the bill or abrogate existing powers exercised by a local government to regulate the zoning of communications facilities.

Fiscal Summary

State Effect: None. The bill does not directly affect governmental operations or finances.

Local Effect: Expenditures could increase minimally for those local governments that choose to adopt the criteria, standards, procedures, and requirements for the siting of personal wireless service antennas and antenna towers specified in the bill. It is assumed that the adoption of the bill's criteria or procedures could be absorbed within a local governments' existing resources.

Small Business Effect: Potential meaningful impact on small businesses providing personal wireless equipment and services.

Fiscal Analysis

Small Business Effect: If local governments elect to adopt the suggested criteria, standards, procedures, and requirements for the siting of personal wireless service antennas and antenna towers provided in the bill, it could have meaningful impact on small businesses providing such services. The imposition of additional procedural requirements such as providing opinions from engineers, being stayed for 90 days to allow good faith negotiations, assessing collocation options and obtaining the consent of all necessary parties prior to application, could increase the expenditures associated with the siting of an antenna or antenna tower. Under the bill, local governments may also require personal wireless providers to require antennas and antenna towers be screened from view, meet certain safety standards, and pay the jurisdiction's court costs if litigation is necessary to enforce the certification. These requirements may significantly increase the expenditures of personal wireless service providers to site antennas and antenna towers, to the extent that localities choose to adopt these standards, procedures and requirements.

Information Source(s): Baltimore City, Anne Arundel, Dorchester, Garrett, Montgomery, Prince George's counties

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