

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 1055

(Prince George's County Delegation)

Environmental Matters

**Prince George's County - Wireless Telecommunications Towers - Prohibition on
Public School Property**
PG 404-11

This bill prohibits the Prince George's County Public School System (PGCPS) from placing a wireless telecommunications tower on property used as a site for a public school that is granted, conveyed, devised, or bequeathed to the school system. The bill does not affect any existing obligation or contract.

Fiscal Summary

State Effect: None.

Local Effect: Potentially significant. Prince George's County Public Schools revenues decrease due to forgone installation and use of wireless telecommunications on specified public school property.

Small Business Effect: None.

Analysis

Current Law: Chapter 306 of 2004, the Public Schools Facilities Act of 2004, enabled a private entity to hold the title to property used for a particular public school or local school system if the private entity is contractually obligated to transfer the title to the appropriate local board of education on a specified date. There is no ban against placing a wireless telecommunications tower on school property.

The Prince George's County Board of Education adopted Policy 0123 in October 2009, that authorizes the placement of private telecommunications transmission facilities on sites owned by the board "as provided by federal and county laws." Under the policy, the board has final approval authority for placement of telecommunication transmission facilities on identified sites and for the terms and conditions of any lease authorizing such placement.

Background: PGCPS advises that it has signed a master agreement allowing for future leases of portions of specified school site properties for placement of up to two telecommunications towers per site. PGCPS indicates it intends to lease property at as many schools as possible in order to generate substantial amounts of income; however, no sites have been approved for a specific lease.

The Fairfax County Public School System, in Virginia, has received approximately \$4 million in installation fees and ongoing revenue from 23 cell phone towers since the first tower was installed in 1995.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Prince George's County Public Schools, Maryland State Department of Education, Public School Construction Program, *The Washington Post*, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2011
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