

HOUSE BILL 241

F3, L2, C5

8lr0785

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Telecommunications Transmission Facility on Public**
3 **School Grounds – Public Hearing and Notification**

4 **PG 513–18**

5 FOR the purpose of requiring a telecommunications company proposing to install a
6 telecommunications transmission facility on public school grounds owned by the
7 Prince George's County Board of Education to hold a certain public hearing before
8 the school system's Chief Executive Officer executes a certain notice to proceed;
9 requiring the telecommunications company to provide, publish, and mail certain
10 notice of the hearing; defining "telecommunications transmission facility"; and
11 generally relating to telecommunications transmission facilities on public school
12 grounds owned by the Prince George's County Board of Education.

13 BY adding to

14 Article – Education

15 Section 4–404

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 **4–404.**

22 **(A) (1) IN THIS SECTION, "TELECOMMUNICATIONS TRANSMISSION**
23 **FACILITY" MEANS AN ANTENNA OR SUPPORT STRUCTURE THAT IS USED TO**
24 **TRANSMIT OR RETRANSMIT WIRELESS VOICE, DATA, OR IMAGE INFORMATION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “TELECOMMUNICATIONS TRANSMISSION FACILITY” DOES NOT**
2 **INCLUDE A RADIO DEVICE OR AN ANTENNA DEVICE THAT:**

3 **(I) EXCLUDING MOUNTING BRACKETS, FASTENERS, CABLING,**
4 **AND ANTENNA, IS LESS THAN OR EQUAL TO:**

5 1. **25 INCHES IN LENGTH;**

6 2. **15 INCHES IN WIDTH; AND**

7 3. **10 INCHES IN HEIGHT;**

8 **(II) IS CAPABLE OF TRANSMITTING 5 WATTS OR LESS OF**
9 **TRANSMITTER OUTPUT POWER; AND**

10 **(III) IS INSTALLED ON:**

11 1. **A STREETLIGHT ARM;**

12 2. **A MAST ARM MOUNTED ON PREEXISTING POLES;**

13 3. **A ROOFTOP; OR**

14 4. **ANY OTHER PREEXISTING SUPPORT STRUCTURE.**

15 **(B) A TELECOMMUNICATIONS COMPANY PROPOSING TO INSTALL A**
16 **TELECOMMUNICATIONS TRANSMISSION FACILITY ON PUBLIC SCHOOL GROUNDS**
17 **OWNED BY THE PRINCE GEORGE’S COUNTY BOARD OF EDUCATION SHALL, BEFORE**
18 **THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY PUBLIC**
19 **SCHOOL SYSTEM EXECUTES A NOTICE TO PROCEED FOR THE INSTALLATION OF THE**
20 **TELECOMMUNICATIONS TRANSMISSION FACILITY, HOLD A PUBLIC HEARING AT THE**
21 **PUBLIC SCHOOL LOCATED ON THE GROUNDS WHERE THE INSTALLATION IS**
22 **PROPOSED.**

23 **(C) AFTER THE PUBLIC HEARING REQUIRED UNDER SUBSECTION (B) OF**
24 **THIS SECTION IS SCHEDULED, THE TELECOMMUNICATIONS COMPANY SHALL:**

25 **(1) PROVIDE NOTICE OF THE HEARING DATE, TIME, AND LOCATION**
26 **AS SOON AS PRACTICABLE TO MUNICIPALITIES THAT ARE WITHIN A 1-MILE RADIUS**
27 **OF THE PROPOSED INSTALLATION SITE;**

28 **(2) PUBLISH NOTICE OF THE HEARING DATE, TIME, AND LOCATION IN**

1 A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY ONCE A WEEK FOR AT
2 LEAST 4 SUCCESSIVE WEEKS; AND

3 **(3) MAIL NOTICE OF THE HEARING DATE, TIME, AND LOCATION TO**
4 **THE PARENT OR GUARDIAN OF EACH CHILD THAT ATTENDS THE PUBLIC SCHOOL**
5 **LOCATED ON THE GROUNDS WHERE THE INSTALLATION IS PROPOSED.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2018.