

S 2964

Local Control of Cellular Towers Act

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Oct 8, 2004

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S10859-10860) (Oct 8, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2964>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Dodd, Christopher J. [D-CT]	D · CT		Oct 8, 2004
Sen. Jeffords, James M. [I-VT]	I · VT		Oct 8, 2004

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Oct 8, 2004

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

Summary (as of Oct 8, 2004)

Local Control of Cellular Towers Act - Amends the Communications Act of 1934 to repeal the prohibition against a State or local government regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with emission regulations of the Federal Communications Commission (FCC).

Requires, in any action in which a person is seeking to place, construct, or modify such a facility, that person to bear the burden of proof, regardless of who commences the action.

Prohibits the FCC from adopting a final rule or otherwise implementing any portion of a proposed FCC rule regarding relief from State and local regulation of such facilities.

Allows a State or local government to deny an application to place, construct, or modify such facilities on the basis that alternative technologies, systems, or structures are capable of delivering such services in a manner less intrusive to the local community. Requires the burden of proving the appropriateness of proposed facilities to be the applicant's.

Allows a State or local government to regulate the location, height, or modification of such facilities in order to address the effects of radio frequency interference on local communities and the public.

Prohibits the Act from being interpreted to prohibit a State or local government from requiring environmental or other studies, reports, or documentation concerning the placement, construction, or modification of such facilities.

Actions Timeline

- **Oct 8, 2004:** Introduced in Senate
- **Oct 8, 2004:** Sponsor introductory remarks on measure. (CR S10858)
- **Oct 8, 2004:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S10859-10860)