

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**HOUSE BILL 314**

**45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**

**INTRODUCED BY**

**Mimi Stewart**

**AN ACT**

**RELATING TO RADIO COMMUNICATIONS; PROVIDING FOR LIMITS ON  
REGULATION OF AMATEUR RADIO ANTENNAS.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. AMATEUR RADIO ANTENNAS--LIMIT ON  
REGULATIONS.--**

**A. An ordinance adopted by the legislative body of  
a municipality or county that regulates amateur radio antennas  
shall not obstruct or preclude amateur radio service  
communications. Regulations of municipalities and counties  
shall reasonably accommodate amateur radio service  
communications. Antenna structures may be erected at heights  
and dimensions sufficient to accommodate amateur radio service  
communications.**

**B. Amateur radio antenna towers constructed prior**

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 to the effective date of this section are exempted from  
2 subsequent changes in zoning regulations by the municipality  
3 or county and may be repaired as required.

4 C. A municipality or county may regulate amateur  
5 radio antennas by requiring amateur radio antennas or support  
6 structures to meet screening, setback and placement,  
7 construction and health and safety standards, but the  
8 regulation must be the minimum practicable regulation to  
9 accomplish the local municipality's or county's purpose.

10 D. As used in this section, "amateur radio  
11 antenna" means an antenna structure operated by a federally  
12 licensed amateur radio operator for amateur radio activities  
13 and does not mean citizens band or commercial antennas.

14 Section 2. EFFECTIVE DATE. --The effective date of the  
15 provisions of this act is July 1, 2002.

17  
18  
19  
20  
21  
22  
23  
24  
25