

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0957-16  
Bill No.: HCS for SS for SCS for SB 241  
Subject: Cities, Towns, and Villages; Public Service Commission; Telecommunications  
Type: Original  
Date: April 17, 2013

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Bill Summary: This proposal creates the Uniform Wireless Communications Infrastructure Deployment Act and modifies provisions relating to telecommunications and right-of-way.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Local Government</b>	<b>(Could exceed \$100,000)</b>	<b>(Could exceed \$100,000)</b>	<b>(Could exceed \$100,000)</b>

## FISCAL ANALYSIS

### ASSUMPTION

In response to Perfected SS for SCS for SB 241, officials from the **Office of Secretary of State (SOS)**, assumed that many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$2,500. SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal with core funding. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Also in response to SS for SCS for SB 241, officials from **St. Louis County** assumed the following revenue, costs, and losses as they relate to this legislation:

#### Revenues

Tenants for new towers	\$450,000
Access/Utility Easements to new sites	\$ 60,000

#### Costs

Dismantle tower site	(\$ 50,000)
Joint Market Analysis	(\$ 40,000)

#### Losses

Loss of land use	(\$150,000)
Loss of potential and existing tenants from existing to new towers	<u>(\$960,000)</u>

<b>NET LOSS</b>	<b>(\$730,000)</b>
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ASSUMPTION (continued)

Also in response to SS for SCS for SB 241, officials from **St. Charles County** assumed they could incur losses for actual costs exceeding the fee limitation in the bill for issuing permits for wireless support structures. The legislation does not make provisions to collect additional amounts when actual costs exceed allowable charges. They could also incur costs to dismantle and remove abandoned wireless support structures.

Officials from the **City of Columbia** assumed their city is likely to lose at least \$100,000 in lease revenue as a result of this proposal.

§§389.585 - 389.591 Railroad right-of-way

In response to SS for SCS for SB 241, officials from the **Department of Transportation** assumed no fiscal impact.

In response to a similar proposal regarding the regulating of the crossing of railroad right-of-ways by certain utilities (SB 418), officials from **St. Louis County** and the **St. Louis Sewer District** each assumed the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Economic Development - Public Service Commission** and **Office of Public Counsel, Administrative Hearing Commission, Department of Natural Resources, Department of Conservation, Office of State Courts Administrator, and Joint Committee on Administrative Rules** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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**LOCAL POLITICAL SUBDIVISIONS**

<u>Revenue Loss</u> - Tower leases and related expenses	(Could exceed <u>\$100,000</u> )	(Could exceed <u>\$100,000</u> )	(Could exceed <u>\$100,000</u> )
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<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>(Could exceed <u>\$100,000</u>)</b>	<b>(Could exceed <u>\$100,000</u>)</b>	<b>(Could exceed <u>\$100,000</u>)</b>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposal creates the Uniform Wireless Communications Infrastructure Deployment Act which is intended to encourage and streamline the deployment of broadband facilities.


The proposal also outlines the application approval process for construction of wireless facilities and support structures.

In addition, the proposal establishes a procedure for certain utilities to construct facilities over, under, or across a railroad right-of-way.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development  
    Public Service Commission  
    Office of Public Counsel  
Department of Natural Resources  
Department of Conservation  
Administrative Hearing Commission  
Department of Transportation  
Joint Committee on Administrative Rules  
Office of State Courts Administrator  
Office of Secretary of State  
    Administrative Rules Division  
Cities  
    Columbia  
Counties  
    St. Louis County  
    St. Charles County  
Metropolitan St. Louis Sewer District



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