

JAN 26 2022

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# A BILL FOR AN ACT

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RELATING TO CONSTRUCTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to part V to be appropriately designated and to read as follows:

"§46- Building permits; towers for fifth generation cellular networks. No later than \_\_\_\_\_, each county shall enact an ordinance, or the appropriate political subdivision of the county, shall adopt rules pursuant to chapter 91, with respect to building permits for towers for fifth generation cellular networks. Specifically, the ordinance or rules, among other requirements, prohibitions, or provisions that may be included by the county or its political subdivision, shall:

- (1) Require the consideration of guidance from the Federal Aviation Administration or any successor federal agency before the issuance of any permit to build a fifth generation cellular network tower within one-fourth of a mile of an airport; or



1        (2) Prohibit the issuance of any permit to build a fifth  
2        generation cellular network tower within one-fourth of  
3        a mile of an airport in the absence of consent from  
4        the Federal Aviation Administration or any successor  
5        federal agency."

6        SECTION 2. No later than twenty days prior to the  
7        convening of the regular session of 2023, the mayor of each  
8        county shall submit to the legislature a report of the status of  
9        the county's compliance with this Act.

10       SECTION 3. This Act does not affect rights and duties that  
11       matured, penalties that were incurred, and proceedings that were  
12       begun before its effective date.

13       SECTION 4. New statutory material is underscored.

14       SECTION 5. This Act shall take effect upon its approval.

15  
INTRODUCED BY: 



# S.B. NO. 3321

**Report Title:**

Counties; 5G; Wireless Technology; Building Permits; Towers

**Description:**

Requires each county to adopt an ordinance, or the appropriate political subdivision of the county, to adopt rules, with respect to building permits for 5G towers that are proposed to be located near airports. Requires reports to the Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

