

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 355, Page 2, Section 442.404, Line 26, by inserting after all of said section
2 and line the following:

3
4 "442.405. 1. For purposes of this section, "amateur service" shall have the same meaning as
5 provided in 47 CFR 97.3.

6 2. Except as otherwise provided in this section, a covenant, restriction, or condition
7 contained in a deed, contract, or other legal instrument that affects the use of real property or the
8 transfer, sale, or any other interest in real property is void and unenforceable to the extent that the
9 covenant, restriction, or condition:

10 (1) Precludes amateur service communications;

11 (2) Contains a restriction on amateur service communications that does not reasonably
12 accommodate such communications. Unreasonably restricting the placement, screening, or height
13 of an amateur radio antenna does not reasonably accommodate amateur service communications; or

14 (3) Contains a restriction on amateur service communications that does not constitute the
15 minimum practicable restriction on such communications to accomplish the legitimate purpose of
16 the entity seeking to enforce such restriction.

17 3. The provisions of this section do not apply to any entity organized under federal, state, or
18 local law for the purpose of historic or architectural preservation.

19 4. Notwithstanding subsection 2 of this section, a landlord may restrict his or her tenant's use
20 of property leased to the tenant by requiring a prior written agreement between the landlord and the
21 tenant for the tenant's use of amateur service communications on the property."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.

Action Taken _____ Date _____