

FIRST REGULAR SESSION

HOUSE BILL NO. 1135

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FALKNER.

2514H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 319, RSMo, by adding thereto one new section relating to underground telecommunications facilities, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 319, RSMo, is amended by adding thereto one new section, to be
2 known as section 319.065, to read as follows:

319.065. 1. As used in this section, the following terms mean:

2 (1) "Abandoned lines and facilities", any telecommunication or cable television
3 lines and facilities that are no longer in use or maintained by the owner;

4 (2) "Owner", any telecommunication or cable television company that owns
5 lines and facilities;

6 (3) "Public rights-of-way", the area on, below, or above a public roadway,
7 highway, street, sidewalk, alley, or similar property used for public travel, but not
8 including federal interstate highways, railroad rights-of-way, or private easements.

9 2. Owners of telecommunication and cable television lines and facilities shall
10 remove any abandoned lines or facilities located in public rights-of-way within one
11 hundred eighty days of abandonment.

12 3. Owners shall notify the relevant municipal, county, or state agency and
13 provide a plan for removal within thirty days of abandonment.

14 4. Owners failing to remove abandoned lines or facilities within the specified
15 time frame shall be subject to a fine of five hundred dollars per day until removal is
16 completed and responsible for reimbursing any costs incurred due to contact with
17 abandoned lines and facilities during other infrastructure projects.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **5. The relevant municipal, county, or state agency shall enforce the provisions of**
19 **this section.**

✓