

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE
OFFERED BY _____**

At the end of subtitle D, add the following new chapter:

1 CHAPTER 4—OTHER MATTER
2 SEC. 3331. CODIFYING 60-DAY TIME FRAME FOR CERTAIN
3 ELIGIBLE FACILITIES REQUESTS.

4 Section 6409(a) of the Middle Class Tax Relief and
5 Job Creation Act of 2012 (47 U.S.C. 1455(a)) is amend-
6 ed—

7 (1) in paragraph (1), by striking “eligible facili-
8 ties request for a modification of an existing wireless
9 tower or base station that does not substantially
10 change the physical dimensions of such tower or
11 base station” and inserting “complete eligible facili-
12 ties request for a modification of an existing wireless
13 tower, base station, or eligible support structure that
14 does not substantially change the physical dimen-
15 sions of such tower, base station, or eligible support
16 structure”;

17 (2) by amending paragraph (2) to read as fol-
18 lows:

1 “(2) TIME FRAME.—

2 “(A) IN GENERAL.—Not later than 60
3 days after the date on which a State or local
4 government receives a complete eligible facilities
5 request described under paragraph (1), the
6 State or local government shall approve such
7 request.

8 “(B) DEEMED APPROVAL.—If a State or
9 local government does not approve an eligible
10 facilities request by the date required under
11 subparagraph (A), the request is deemed ap-
12 proved on the day after such date.

13 “(C) WHEN REQUEST CONSIDERED COM-
14 PLETE; RECEIVED.—

15 “(i) WHEN REQUEST CONSIDERED
16 COMPLETE.—

17 “(I) IN GENERAL.—For the pur-
18 poses of this paragraph, an eligible fa-
19 cilities request to a State or local gov-
20 ernment shall be considered complete
21 if the requesting party has not re-
22 ceived a written notice from the State
23 or local government within 10 busi-
24 ness days after the date on which the

1 request is received by the State or
2 local government—

3 “(aa) stating that all the in-
4 formation (including any form or
5 other document) required by the
6 State or local government to be
7 submitted for the request to be
8 considered complete has not been
9 submitted; and

10 “(bb) identifying the infor-
11 mation required to be submitted
12 that was not submitted.

13 “(II) DEFINITION.—In this
14 clause, the term ‘received by the State
15 or local government’ means—

16 “(aa) in the case of an eligi-
17 ble facilities request submitted
18 electronically, on the date on
19 which the request is transmitted;

20 “(bb) in the case of an eligi-
21 ble facilities request submitted in
22 person, on the date on which the
23 request is delivered to the indi-
24 vidual or at the location specified

1 by the State or local government
2 for in-person submission; and

3 “(cc) in the case of an eligi-
4 ble facilities request submitted in
5 any other manner, on the date
6 determined under regulations
7 promulgated by the Commission
8 for the manner in which the re-
9 quest is submitted.

10 “(ii) WHEN COMPLETE REQUEST CON-
11 SIDERED RECEIVED.—For the purposes of
12 this paragraph, a complete eligible facilities
13 request shall be considered received on the
14 date on which the requesting party submits
15 to the State or local government all infor-
16 mation (including any form or other docu-
17 ment) required by the State or local gov-
18 ernment to be submitted for the request to
19 be considered complete.”; and

20 (3) by adding at the end the following:

21 “(4) DEFINITIONS.—In this subsection:

22 “(A) ELIGIBLE FACILITIES REQUEST.—
23 The term ‘eligible facilities request’ means any
24 request for modification of an existing wireless

1 tower, base station, or eligible support structure
2 that involves—

3 “(i) collocation of new transmission
4 equipment;

5 “(ii) removal of transmission equip-
6 ment;

7 “(iii) replacement of transmission
8 equipment; or

9 “(iv) placement, modification, or con-
10 struction of equipment that—

11 “(I) improves the resiliency of
12 the wireless tower, base station, or eli-
13 gible support structure; and

14 “(II) provides a direct benefit to
15 public safety, such as—

16 “(aa) providing backup
17 power for the wireless tower, base
18 station, or eligible support struc-
19 ture;

20 “(bb) hardening the wireless
21 tower, base station, or other eligi-
22 ble support structure; or

23 “(cc) providing more reliable
24 connection capability using the

1 wireless tower, base station, or
2 eligible support structure.

3 “(B) ELIGIBLE SUPPORT STRUCTURE.—
4 The term ‘eligible support structure’ means a
5 structure that supports a personal wireless serv-
6 ice facility at the time at which the eligible fa-
7 cilities request is made.

8 “(C) PERSONAL WIRELESS SERVICE FACIL-
9 ITY.—The term ‘personal wireless service facil-
10 ity’ means a facility necessary for the provision
11 of—

12 “(i) commercial mobile service;

13 “(ii) commercial mobile data service
14 (as that term is defined in section 6001 of
15 the Middle Class Tax Relief and Job Cre-
16 ation Act of 2012 (47 U.S.C. 1401));

17 “(iii) unlicensed wireless service; and

18 “(iv) common carrier wireless ex-
19 change access service.”.

20 **SEC. 3332. IMPLEMENTATION.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Federal Communications Commis-
23 sion shall issue final rules implementing section 3331, and
24 the amendments made by such section.

