**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4549**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pedalino, Guffey, Taylor, Leber, Felder, Hardee, Burns, Lawson, Forrest, Hixon, Carter, S. Jones, M.M. Smith, Caskey, Brewer, Magnuson and Pope

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Introduced in the House on January 9, 2024

Currently residing in the House

Summary: Amateur Radio Antenna Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Labor, Commerce and Industry**

 1/9/2024 House Introduced and read first time (House Journal‑page 79)

 1/9/2024 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 79)

 1/10/2024 House Member(s) request name added as sponsor: Felder

 1/30/2024 House Member(s) request name added as sponsor: Hardee

 1/31/2024 House Member(s) request name added as sponsor: Burns

 2/6/2024 House Member(s) request name added as sponsor: Lawson

 2/8/2024 House Member(s) request name added as sponsor: Forrest,
 Hixon

 2/14/2024 House Member(s) request name added as sponsor: Carter

 2/28/2024 House Member(s) request name added as sponsor: S.
 Jones, M.M. Smith

 2/29/2024 House Member(s) request name added as sponsor: Caskey

 3/5/2024 House Member(s) request name added as sponsor: Brewer,
 Magnuson

 3/11/2024 House Member(s) request name added as sponsor: Pope

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**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4549_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “Amateur RADIO ANTENNA PROTECTION ACT” by adding section 4-1-190 so as to provide that a county may not enact or enforce certain ordinances that do not conform to the amateur radio preemption; and BY ADDING SECTION 27-30-180 SO AS TO PROVIDE THAT A HOMEOWNERS ASSOCIATION MAY NOT PROHIBIT AN OWNER OF A PROPERTY WITHIN THE ASSOCIATION FROM INSTALLING OR USING An Amateur RADIO ANTENNA ON THE PROPERTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The General Assembly finds that:

 (1) Amateur radio is a vital public service that provides emergency communications during times of disaster and provides a critical link to isolated communities.

 (2) Amateur radio operators play a vital role in disaster relief and emergency preparedness efforts.

 (3) Amateur radio is a valuable hobby and educational tool that promotes science, technology, engineering, and mathematics (STEM) education.

 (B) The purpose of this act is to protect the right of amateur radio operators to install and use antennas on their property, even if they live in a homeowners association.

SECTION 2. This act may be cited as the “Amateur Radio Antenna Protection Act”.

SECTION 3. Chapter 1, Title 4 of the S.C. Code is amended by adding:

 Section 4-1-190. A county may not enact or enforce an ordinance that fails to conform to the Amateur Radio Preemption issued by the Federal Communications Commission. An ordinance adopted by a county with respect to amateur radio antennas must conform to the Amateur Radio Preemption which states that local ordinances that involve placement, screening, or height of antennas based on health, safety, or aesthetic considerations must be crafted to reasonably accommodate amateur communications and to represent the minimum practicable regulation to accomplish the local authority’s legitimate purpose.

SECTION 4. Article 1, Chapter 30, Title 27 of the S.C. Code is amended by adding:

 Section 27‑30‑180. (A) As used in this section:

 (1) “Amateur radio” means a radio service that is used on a noncommercial basis for communication with stations in the same service, for radio experimentation, or for self‑training, by individuals who are interested in radio technique solely with a personal aim and without pecuniary interest.

 (2) “Amateur radio antenna” means any antenna that is used for amateur radio communication.

 (B) A homeowners association may not prohibit an owner of a property within the association from installing or using an amateur radio antenna on the property. An association may establish reasonable regulations on the placement and appearance of amateur radio antennas, but the regulations may not prohibit the installation or use of an effective antenna.

SECTION 5. This act takes effect upon approval by the Governor.

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