

104TH CONGRESS  
2D SESSION

# S. 2025

To amend the Communications Act of 1934 to authorize the States to regulate interference with radio frequencies.

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IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Communications Act of 1934 to authorize the States to regulate interference with radio frequencies.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AUTHORITY OF STATES TO REGULATE RADIO**

4 **FREQUENCY INTERFERENCE.**

5 Section 302 of the Communications Act of 1934 (47  
6 U.S.C. 302) is amended by adding at the end the follow-  
7 ing:

8 “(e) Where radio frequency interference to home elec-  
9 tronic equipment is caused by a CB radio station through  
10 the use of a transmitter or amplifier that is not authorized

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1 for use by a CB radio station pursuant to Commission  
2 rules, the State, county, municipal, or other local govern-  
3 ment shall not be preempted from exercising its police  
4 powers to resolve the interference by prohibiting the use  
5 of such unauthorized equipment or by imposing fines or  
6 other monetary sanctions. For purpose of this subsection,  
7 home electronic equipment includes, but is not limited to,  
8 television receivers, radio receivers, stereo components or  
9 systems, video cassette recorders, audio recorders, loud  
10 speakers, telephone equipment and other electronic devices  
11 normally used in the home. Any action taken by the State,  
12 county, municipal, or local government shall not preclude  
13 concurrent action by the Commission. Nothing in this sub-  
14 section shall be construed to diminish the Commission's  
15 exclusive jurisdiction over radio frequency interference in  
16 any matter outside the scope of this subsection.”.

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