

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3483

TITLE: An Act halting close proximity antennas and higher frequencies to enforce RadLimits

SPONSOR: Representative Patricia A. Duffy (By Request)

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: May 6, 2025

PRIOR HISTORY: New bill

CURRENT LAW:

Chapter 111 of the General Laws, as appearing in the 2020 Official Edition, pertains to public health

Chapter 93 of the General Laws, as appearing in the 2010 Official Edition pertains to the regulation of trade and certain enterprises.

SUMMARY:

The policy goals of this act are to halt the use of ubiquitous street antennas, microcells, small cell networks, and frequencies that are 6 gigahertz plus as well as any type of non-ionizing radiation exposure considered particularly dangerous to public and environmental health through establishing a review process, fines, regulation, monitoring, and education to promote safer wired services.

Section 1 of this act provides federal telecommunications law and FCC background on wire and radio communication services. This section also makes reference to potential health risks and risks to wildlife associated with non-ionizing radiation exposure as a result of new frequency band auctions, 5G connectivity, and measures pertaining to cell tower antennas.

Section 2 amends Chapter 111 of the General Laws, as appearing in the 2021 edition, by adding a new section 501 which directs the radiation control department* to include another sub-department “the radiation regulatory agency” to prepare and manage a timeline and process for the removal of wireless facilities and the use of frequencies deemed to be dangerous to health, with a primary focus on frequencies above 6 GHz. This new agency is also responsible for specifying the submission form and for setting rolling deadline for reporting by wireless facilities of their frequency utilized, purpose, location, distance to the public, and ownership, and information regarding any removal of the wireless facility or specified frequency.

The act also lists several steps for the radiation regulatory agency to take to provide for a smooth transition including setting a timeline that allows for a transition to safer communication services and other actions for the removal of microcells and limits on certain frequencies. Reporting and compliance with the agency reporting and deadlines is required and any failure to comply will result in a fine of up to 3% of the prior year’s income for all parties, ensuing fines of \$1,000 per day, and may include imprisonment twice the days of lapsed reporting or other non-compliance. This Act also requires the agency to have all necessary equipment and engineers to verify field strength, frequencies, and types of exposure.

The agency, in conjunction with the radiation control department, is directed to provide education regarding safer alternatives to wireless, especially dangerous non-ionizing radiation exposure, and types of wireless products to recognize and avoid. The agency is required to publish an annual report of progress, obstacles, and needs to the General Court.

Section 4 of the Act amends Chapter 93 of the General Laws by adding a new section that allows a lessee of property rented to a mobile service provider for a wireless facility providing personal wireless services, streaming services, or information to a mobile service to cancel their contract or agreement without penalty or obligation, and require the removal of said wireless facility.

*Note: Massachusetts does not have a radiation control department as described in this bill. The Division of Radiation Control exists within the Bureau of Climate and Environmental Health which falls under the Department of Public Health. Section 5N of Chapter 111 also designates the Department of Public Health as the state radiation control agency.