

**A-Engrossed**  
**House Bill 3415**

Ordered by the House April 23  
Including House Amendments dated April 23

Sponsored by Representative WEIDNER

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires public body acting as radio common carrier to charge market rate for access to radio tower for delivery of radio communications service, radio paging or cellular communications service for hire.

**Creates exception.**

**A BILL FOR AN ACT**

1  
2 Relating to proprietary transactions of public bodies.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Market rate" means a price, lease rate or other form of compensation for goods or**  
6 **services provided by a public body, when participating in a proprietary transaction, that is**  
7 **equal to or greater than the average price, lease rate or other form of compensation in the**  
8 **same market for the same goods or services provided by a private-sector provider.**

9 (b) **"Public body" has the meaning given that term in ORS 174.109.**

10 (c) **"Radio common carrier" has the meaning given that term in ORS 759.005.**

11 (2) **When a public body acts as a radio common carrier to provide access to a radio tower**  
12 **for the delivery of radio communications service, radio paging or cellular communications**  
13 **service for hire, the public body must charge a market rate for access by any party that is**  
14 **not a public body or a private nonprofit emergency services organization.**

15 (3) **Subsection (2) of this section does not prohibit a public body, when participating in a**  
16 **proprietary transaction, from charging or receiving compensation in the form of an exchange**  
17 **of goods or services or in any other nonmonetary form.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.