

BILL ANALYSIS

Senate Research Center

S.B. 57
By: Nelson
Intergovernmental Relations
4/6/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law allows incorporated areas, such as cities and the Harris County Toll Authority, to regulate outdoor advertising, such as billboards, through delegated Texas Department of Transportation authority. This authority extends into each city or town's extraterritorial jurisdiction (ETJ). No such local authority exists into other areas of a county.

As proposed, S.B. 57 amends the Transportation Code to allow county governing bodies to regulate outdoor advertising in the unincorporated or ETJ areas of their counties. This gives counties the option to ban the construction of new billboards visible from roads that lie outside a city's ETJ.

If a county exercises this option, the existing billboards will be governed by existing provisions under Section 391.253, Transportation Code, which allows billboard relocations because of a highway widening, and further allows the maintenance, repair and reconstruction of a billboard that is not more than 60 percent destroyed.

RULEMAKING AUTHORITY

This bill does not expressly grant additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 391.252(a), Transportation Code, to prohibit a person from erecting an off-premise sign that is adjacent to and visible from a road or portion of a road that lies outside the corporate and extraterritorial limits of a municipality, if designated by order of the governing body of county where the road is located, effective on the date of receipt of written notice to the Texas Department of Transportation (department).

SECTION 2. Effective date: September 1, 2005.