

BILL ANALYSIS

Senate Research Center
79R15035 JRJ-F

C.S.S.B. 57
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Intergovernmental Relations
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Committee Report (Substituted)

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.

C.S.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, Transportation Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Prohibits a person from erecting an off-premise sign that is adjacent to and visible from a public road or portion of a public road located in a county under Subsection (d) and outside the corporate limits or extraterritorial jurisdiction of a municipality, if designated by order of the commissioners court of the county in which the road or portion of road is located, after the date of written notice of the order to the Texas Department of Transportation (department).

(d) Provides that Subsection (a)(14) applies only to certain counties.

SECTION 2. Effective date: September 1, 2005.