

BILL ANALYSIS

Senate Research Center

C.S.S.B. 778
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Intergovernmental Relations
4/25/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Historically, cities have passed sign ordinances but have grandfathered or used an amortization plan for off-premise signs (billboards) which were already displayed and did not conform to the ordinance. These nonconforming signs were allowed to be regularly maintained and even repaired as long as the signs were not damaged to a certain extent or destroyed. If significant damage to or destruction of a sign did occur, the sign was no longer authorized and the remaining structure had to be moved. Thus, a sign voluntarily removed or blown down by a storm cannot be rebuilt or replaced if the location was previously declared illegal by city ordinance. C.S.S.B. 778 requires municipalities that permit the replacement of a nonconforming off-premise sign by a new nonconforming off-premise sign owned by a person other than the owner of the replaced sign to permit the owner of the sign that was removed to erect a comparable sign at a location designated by the owner of the displaced sign on property zoned for certain uses.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 216A, Local Government Code, by adding Section 216.016, as follows:

Sec. 216.016. REGULATION OF OFF-PREMISE SIGNS. Requires, notwithstanding any other law, certain municipalities to permit the owner of a non-conforming sign that is removed and replaced to erect a comparable sign at a location designated by the owner of the displaced sign on property zoned for commercial, industrial, or manufacturing uses.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Omits original SECTIONS 1 - 3.

Adds new SECTIONS 1 -2.