

BILL ANALYSIS

Senate Research Center

H.B. 1521
By: Kolkhorst (Hegar)
Transportation & Homeland Security
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Austin County has no legal authority to preserve the beauty of its roadways by preventing the construction of billboards adjacent to and visible from certain highways in the county.

H.B. 1521 prohibits the construction of new off-premise billboards adjacent to and visible from certain roadways in Austin County. The bill also authorizes landowners to opt out of the prohibition in a certain manner.

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 Section 391.252(a), Transportation Code, to prohibit a person from erecting an off-premise sign adjacent to and visible from State Highway 159 and Farm-to-Market Roads 331, 529, 1094, and 2502 in Austin County. Makes conforming and nonsubstantive changes.

SECTION 2. Sets forth the process by which a landowner to whom a notice is mailed by the county clerk as provided by Section 3(b) of this Act may exclude the landowner's property from the application of Section 1 of this Act. Provides that such exclusion becomes effective on the date the landowner's notice is received by the Texas Department of Transportation (TxDOT).

SECTION 3. (a) Effective date: September 1, 2007, except as otherwise provided by this section.

(b) Requires the county clerk of the county or counties in which a segment of public road affected by this Act is located to send a written notice, by certified mail, to each landowner who owns real property, according to the most recent certified tax appraisal roll, along a segment of public road affected by this Act before Section 1 of this Act can become effective. Sets forth the method by which such notice makes that section effective, including a requirement that the county clerks send to TxDOT a notification of the required provision of the notice to certain entities and sets forth the information the notice is required to include.

(c) Effective date of Section 1 of this Act: the 91st day after TxDOT receives notification from all appropriate county clerks as provided in Subsection (b).