

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 137
By: Nelson
Transportation & Homeland Security
3/26/2007
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, including billboards, through delegated Texas Department of Transportation authority. This authority extends into each city or town's extra-territorial jurisdiction. No such authority exists in other areas of a county.

C.S.S.B. 137 amends the Transportation Code to authorize a county governing body to regulate outdoor advertising in the unincorporated or extra-territorial jurisdiction areas of the county. If a county exercises this option, the existing billboards would be governed by existing provisions under Section 391.253, Transportation Code, which allows billboard relocation because of 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 any additional rulemaking authority to a 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) Deletes existing text of Subdivision (5) that prohibits the erection of an off-premise sign that is visible from a certain segment of U.S. Highway 281. Amends Subdivision (5) to prohibit a person from erecting an off-premise sign that is visible from U.S. Highway 281 between State Highway 186 and Interstate Highway 37, exclusive of the segment of U.S. Highway 281 located in the city limits of Three Rivers. Adds Subdivision (19), prohibiting an off-premise sign from being constructed adjacent to or visible from a public road or portion thereof located in a county under Subsection (d) and outside the corporate limits or extraterritorial jurisdiction of a municipality, after the date of written notice of an order of the commissioners court of the county in which the road is located to the Texas Department of Transportation. Makes conforming changes.

(d) Provides that Subsection (a)(19) applies only in a county that has a population of 800,000 or more, or lies adjacent to a county that has a population of 800,000 or more.

SECTION 2. Effective date: September 1, 2007.