

BILL ANALYSIS

C.S.H.B. 2179
By: Truitt
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 216 of the Local Government Code is entitled *Regulation of Signs by Municipalities* and contains the procedures for the relocation, reconstruction, and removal of signs. Under this law a “municipal board on sign control” is appointed by the mayor, which must meet in a public hearing, and use a statutory formula to determine the amount of compensation owed when an on-premise sign is removed. The intent of this law is to compensate an owner for an asset that is still in use at the time a city requires its removal. Current law fails to address the issue of defunct businesses and the abandoned signs they leave behind. C.S.H.B. 2179 would allow cities to order the removal of an on-premise sign no sooner than the first anniversary of the date the business, person, or activity that the sign identifies or advertises ceases to operate on the premises upon which the sign or sign structure is located without having to establish a municipal board on sign control or provide compensation.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 216.003, Local Government Code, by amending Subsection (b) to exempt from the extant entitlement of compensation signs and sign structures removed under Subsection (e), added below; and adds a Subsection (e) to allow municipalities to require the removal of an on-premise sign or sign structure, without having to provide compensation, no sooner than the first anniversary of the date the business, person or activity that the sign or sign structure identifies or advertises ceases operation on the premises upon which the sign is located. In addition, the removal of a sign under this Subsection would not require an appointment of a municipal board on sign control under Section 216.004, Local Government Code.

SECTION 2. Effective Date.

EFFECTIVE DATE: September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2179 modifies the original by adding language that exempts a municipality from providing compensation for the removal of an on-premise sign or a sign structure in accordance with Section 216.003(e), Local Government Code, as added by the bill. C.S.H.B. 2179 also differs from the original by authorizing municipalities to require the removal of an on-premise sign or sign structure in accordance with Section 216.003(e) no sooner than the first anniversary of the date in which the business, person, or activity ceases to operate on the premises upon which the sign or sign structure is located; the original authorized removal no later than the first anniversary. C.S.H.B. 2179 also adds language allowing the removal of a sign or sign structure in accordance with Section 216.003(e) without first appointing a municipal board on sign control under Section 216.004, Local Government Code.