

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 2, 2003

TO: Honorable Harvey Hilderbran, Chair, House Committee on State Cultural and Recreational Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2207 by Hilderbran (Relating to the regulation of outdoor advertising.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require the Department of Transportation (TxDOT), a county, a municipality, or other governmental entity, a public utility, or a quasi-governmental entity to pay “just compensation”, subject to state and federal regulations regarding access from the State Highway System, if it prevents the maintenance of existing outdoor advertising, or requires the discontinuation of such maintenance. The bill would clarify elements included in just compensation. The bill would establish requirements, guidance, and restrictions for relocating outdoor advertising; expand the means by which the Texas Transportation Commission (TTC) could acquire outdoor advertising; and would provide guidance and restrictions for removing and discontinuing maintenance on outdoor advertising. The bill would allow TxDOT to remove outdoor advertising signs erected or maintained in violation of the bill without payment of compensation to the owner or lessee.

The bill would allow an owner to either adjust the height of a sign or relocate a sign in accordance with the bill if its view and readability would be obstructed for reasons specified in the bill. The bill would require a county or municipality to provide for the height adjustment or relocation by a special exception to any applicable zoning ordinance; would allow an adjusted or relocated sign to be erected to a height and angle to make it visible to traffic; and would require that the sign be the same size as the previous sign.

Based on the analysis provided by TxDOT, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2003.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

The cities of Abilene, Carrollton, Dallas, and Weatherford and the counties of Bexar, Dallas, El Paso, and Harris report no significant fiscal implications in implementing the provisions of the bill.

Source Agencies: 601 Department of Transportation

LBB Staff: JK, CL, RT, MW