

BILL ANALYSIS

Senate Research Center

C.S.S.B. 84
By: Madla
Intergovernmental Relations
7/14/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

During the 79th Legislature, Regular Session, 2005, S.B. 1137 was introduced and subsequently passed to help increase the economic impact of the Texas wine industry on the state. Certain sections were specifically included in S.B. 1137 to facilitate and maximize the placement of directional signs to Texas wineries and other Texas agri-tourism businesses, such as Christmas tree farms, to increase the economic impact of these entities on the state. Although the Major Agricultural Interest Sign (MAIS) program was passed in the 75th legislative session to accomplish this goal, various changes to state and federal regulations ultimately became so obstructive to the original program's intent that more wineries and other agri-tourism businesses were being advised that they were ineligible than were being approved for signage. In keeping, the aforementioned sections were included in S.B. 1137 to replace the MAIS program with a Tourist-Oriented Directional Sign (TODS) program, which did not present the problems that were preventing the placement of winery signage.

C.S.S.B. 84 tightens up the language of the TODS program to track original intent and reinstates the MAIS program through December 31, 2006, with changes that will facilitate an easy transition into the TODS program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 (Section 391.097, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 391, Transportation Code, by adding Section 391.097, as follows:

Sec. 391.097. MAJOR AGRICULTURAL INTEREST SIGN. (a) Defines "eligible rural highway" and "major agricultural interest."

(b) Requires the Texas Department of Transportation (department) to contract with an individual, firm, group, or association to erect and maintain agricultural interest signs.

(c) Sets forth certain required contract provisions for a contract under this section.

(d) Requires a major agricultural interest to meet certain criteria in order to be eligible to have its name displayed on a major agricultural interest sign.

(e) Requires a major agricultural interest sign to meet certain criteria.

(f) Requires the Texas Transportation Commission (commission) to adopt rules necessary to administer and enforce this section.

(g) Provides that this section expires December 31, 2006.

SECTION 2. Amends Sections 391.099(a)(1) and (3), Transportation Code, as added by Section 9, S.B. 1137, Acts of the 79th Legislature, Regular Session, 2005, to redefine "eligible facility" and "tourist-oriented directional sign."

SECTION 3. Authorizes the contractor or commercial establishment of a major agricultural interest, notwithstanding the expiration of Section 391.097, Transportation Code, on December 31, 2006, to continue to maintain a major agricultural interest sign erected under that section before that date, if the contractor or commercial establishment maintains standards established by the department for highway signs.

SECTION 4. Effective date: November 1, 2005.