

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 11, 2005**

**TO:** Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB601** by Eissler (Relating to erecting or maintaining outdoor advertising; providing penalties.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Section 391.031(a), Transportation Code, to include a property owner to the persons who commit an offense under this provision if the property owner allows outdoor advertising to be erected or maintained on the property. The bill would amend Section 391.035(a), Transportation Code, to authorize district and county attorneys to collect penalties for an offense, in addition to the state Attorney General. The bill would require a court to order the revocation of an outdoor advertising permit if a sign has been the subject of two penalty orders .

The bill would authorize the Texas Transportation Commission (TTC) to impose an administrative penalty in lieu of a suit to collect the existing civil penalty. Under the provisions of the bill, the penalty may not exceed the maximum civil penalty currently provided, and penalty would be deposited into the State Highway Fund. The bill would authorize the TTC to issue an administrative enforcement order revoking a sign permit.

Based on the analysis of the Office of the Attorney General and the Texas Department of Transportation, it is assumed any costs and duties associated with implementing the provisions of the bill could be absorbed within existing resources.

The bill would take effect on September 1, 2005.

**Local Government Impact**

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

**Source Agencies:** 302 Office of the Attorney General, 601 Department of Transportation

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