

BILL ANALYSIS

H.B. 880
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County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many sexually-oriented businesses advertise by displaying sexually explicit images on billboards. People driving or walking by these billboards have complained that they do not want to see examples of what the businesses are selling. To attract business by using billboard advertising, billboards need only display the necessary information which includes the name of the business, the address, phone number and operating hours.

H.B. 880 removes the allowance of sexually explicit images on billboard advertising for sexually oriented businesses.

RULEMAKING AUTHORITY

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

ANALYSIS

H.B. 880 states that all billboards of sexually oriented businesses will be required to only have the business name, street address, phone number and operating hours on the sign. Only two signs per business premise are allowed and must be no larger than 40 square feet. A sign may not contain obscene material, as defined by Section 43.21, Penal Code, or a depiction of a nude person, as defined by Section 47.005, Business & Commerce Code.

An offense is a Class B misdemeanor and a violation is subject to a civil penalty liable to the state for which the attorney general may sue to collect penalties.

Signs existing on the effective date of this bill that do not comply with the requirements in this bill may be maintained until August 31, 2010. After August 31, 2010, the sign must comply with the described changes in this bill.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.