

BILL ANALYSIS

Senate Research Center
80R14629 ATP-F

H.B. 2945
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The method of time-amortization has been used to compensate sign owners whose signs are removed because of regulatory enactment. Compensation by amortization is a methodology whereby signs are identified for removal by regulation, but the removal is delayed for a time period sufficient to allow the sign owner and any other interest holder in the sign to recoup the cost of the sign. Once the time period expires, the sign must be removed. Several Texas cities that enacted sign regulatory ordinances early-on employed time-amortization as the preferred means of compensation until the legislature adopted Chapter 216 (Regulation of Signs by Municipalities), Local Government Code. Thereafter, the only methods of compensation available to a city to cause the removal of signs by regulatory enactment were either through tax abatements or the direct expenditure of taxpayer dollars.

H.B. 2945 authorizes municipalities with a population of 1.9 million or more to employ time-amortization as an alternative means of compensation for on-premise signs, subject to the requirements contained in Chapter 216, Local Government Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 216.010, Local Government Code, by adding Subsection (f), as follows:

(f) Authorizes a municipality with a population of more than 1.9 million, except as prohibited by federal law, to pay the compensable costs to the owner of an on-premise sign by allowing the sign to remain in place for a period sufficient to recover the compensable cost of the sign as determined under Section 216.009 (Compensation for Removal of On-Premise Sign), based on a determination by the municipal board of the average annual gross revenue as determined under Section 216.008 (Compensation for Removal of Off-Premise Sign) that would be generated by the sign in its specific location if the sign were used as an off-premise sign rather than an on-premise sign. Requires the owner of the sign, during the period in which a sign remains in place under this subsection, to maintain the sign in compliance with all other regulations applicable to the sign, including structural regulations.

SECTION 2. Effective date: September 1, 2007.