

## **BILL ANALYSIS**

S.B. 384  
By: Zaffirini  
Transportation  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

Current law authorizes the erection of bill boards within the city limits of Three Rivers and provides counties with the authority to designate roads where billboards may not be erected. However, officials in Three Rivers do not want billboards constructed on the stretch of Highway 281 that runs through the city. As proposed, S.B. 384 prohibits the construction of billboards within the city limits of Three Rivers on U.S. Highway 281.

### **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**

SECTION 1. Reenacts and amends Section 391.252(a), Transportation Code, as amended by Chapters 281, 352, 405, 796, 903, 983, 1046, and 1353, Acts of the 79th Legislature, Regular Session, 2005, to delete the provision that an off-premise sign may not be constructed in a position adjacent to or visible from U.S. Highway 281 between State Highway 186 and Interstate Highway 37, except for the portion of U.S. Highway 281 located within the Three Rivers city limits. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.

### **EXPLANATION OF AMENDMENTS**

Committee Amendment #1 would require notification of landowners owning real property along a segment of public road affected by the bill in order for the bill to become effective. The notice must be published in a newspaper of general circulation and mailed, by certified mail, to each affected landowner by the county clerk of the county or counties in which a segment of public road affected by the bill is located. The notice must specify that the landowner's future right to lease the landowner's property for the purpose of erecting an off-premise sign will be terminated, unless the landowner notifies the Texas Department of Transportation (TxDOT) that the landowner wants to exclude the landowner's property from application of the bill. The bill would become effective only after the appropriate county clerk of clerks have notified TxDOT that all affected landowners have been notified. In notifying TxDOT, the county clerk must provide a publisher's affidavit proving publication of the notice in the newspaper and an affidavit certifying the date the notice was mailed to landowners, along with a copy of the notice and a certified list of the landowners to whom the notice was mailed. An affected landowner can exclude the landowner's property from application of the bill by sending a written notice to TxDOT by certified mail within one year of the date that TxDOT receives notification that notices were mailed to landowners. The landowner's exclusion becomes effective when the landowner's notice is received by TxDOT.