

HCS SCS SB 1064 -- OUTDOOR ADVERTISING

SPONSOR: Stouffer (St. Onge)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 15 to 0.

This substitute authorizes the Highways and Transportation Commission to void billboard permits without paying compensation:

- (1) When there has been any misrepresentation of a material fact by the applicant on a permit application and the sign is removed under law;
- (2) When the commission determines that a change has been made to a conforming sign by the sign owner and the sign has been removed under law; or
- (3) When the commission determines that a substantial change has been made to a nonconforming sign by the sign owner so that the sign's nonconforming status was terminated and the sign was removed under the commission's administrative rules for maintenance of nonconforming signs.

The commission may also void any permit when it determines that a permit has been erroneously issued by any Department of Transportation staff member in violation of any state law or administrative rule. The billboard must be subject to removal, and compensation must be paid pursuant to law.

A local zoning authority will be prohibited from requiring the removal or alteration of a legally erected outdoor advertising structure as a condition or prerequisite for the issuance or continued effectiveness of a permit, license, or other approval for any use, structure, development, or activity other than outdoor advertising including a request for rezoning without the payment of just compensation.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say the bill will bring the commission into compliance with federal regulations.

Testifying for the bill were Senator Stouffer; Missouri Outdoor Advertising Association; and Department of Transportation.

OPPOSERS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst