

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5179-01
Bill No.: HB 1998
Subject: Roads and Highways; Transportation; Department of Transportation
Type: Original
Date: March 28, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation (MoDOT)** and the **Department of Economic Development** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of the Attorney General** assume that because MoDOT employs staff counsel for right-of-way and eminent domain litigation, MoDOT would bear any additional costs resulting from this proposal. Therefore, there would be no fiscal impact to the Office of the Attorney General.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal 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.

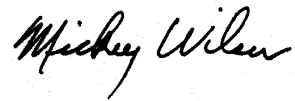
The commission may also void any permit when it determines that a permit has been erroneously issued by any Department of Transportation staff member in violation of any state law or administrative rule. The billboard must be subject to removal, and compensation must be paid pursuant to law. A local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

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Economic Development
Department of Transportation
Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large, stylized 'M' and 'W'.

Mickey Wilson, CPA
Director
March 28, 2006