

HCS SB 130 -- OUTDOOR ADVERTISING

SPONSOR: Stouffer (St. Onge)

COMMITTEE ACTION: Voted "do pass" by the Committee on Local Government by a vote of 11 to 1.

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

- (1) There has been any misrepresentation of a material fact on a permit application and the sign is removed under law;
- (2) 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) 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 as specified by law.

A local zoning authority cannot adopt or enforce any ordinance, order, rule, regulation, or practice that eliminates the ability of a property owner to build or develop property or erect an on-premise sign solely because a legally erected billboard already exists on the property.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that Missouri is in violation of federal law in regard to the state's ability to void billboard permits, and the state will lose up to \$50 million if the bill is not enacted.

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

OPPONENTS: There was no opposition voiced to the committee.