

Bill No. CS for CS for SB 1368

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators Grant, Bronson, Silver, Sullivan, Kirkpatrick,		
12	Mitchell, Sebesta, Dawson, Holzendorf and Diaz de la Portilla		
13	moved the following amendment:		
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15	Senate Amendment (with title amendment)		
16	On page 49, following line 31,		
17			
18	insert:		
19	Section 33. Subsection (2) of section 479.15, Florida		
20	Statutes, is amended, present subsections (3) through (6) of		
21	that section are renumbered subsections (5) through (8),		
22	respectively, new subsections (3) and (4) are added to that		
23	section, and present subsection (6) is amended, to read:		
24	479.15 Harmony of regulations.--		
25	(2) A municipality, county, local zoning authority, or		
26	other local governmental entity may not remove, or cause to be		
27	removed, any lawfully erected sign along any portion of the		
28	interstate or federal-aid primary highway system, <u>or any other</u>		
29	<u>highway or road,</u> without first paying just compensation for		
30	such removal. A local governmental entity may not cause in any		
31	way the alteration of any lawfully erected sign located along		

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1 any portion of the interstate or federal-aid primary highway
2 system, or any other highway or road, without payment of just
3 compensation ~~if such alteration constitutes a taking under~~
4 ~~state law.~~ The municipality, county, local zoning authority,
5 or other local government entity promulgating requirements for
6 such alteration must be responsible for payment of just
7 compensation to the sign owner ~~if such alteration constitutes~~
8 ~~a taking under state law.~~ This subsection applies only to a
9 lawfully erected sign the subject matter of which relates to
10 premises other than the premises on which it is located or to
11 merchandise, services, activities, or entertainment not sold,
12 produced, manufactured, or furnished on the premises on which
13 the sign is located. For purposes of this subsection, the term
14 "federal-aid primary highway system" means the federal-aid
15 primary system" means the federal-aid primary system in
16 existence on June 1, 1991, and any highway which was not on
17 such system but which is now on the national highway system.
18 ~~This subsection shall not be interpreted as explicit or~~
19 ~~implicit legislative recognition that alterations do or do not~~
20 ~~constitute a taking under state law.~~

21 (3) Effective upon this act becoming a law, the Office
22 of Program Policy Analysis and Governmental Accountability, in
23 consultation with the Legislative Committee on
24 Intergovernmental Relations, shall conduct a study to
25 determine the economic impact on local governments of
26 providing just compensation or requiring the removal or
27 alteration of a lawfully erected sign as provided in this act.
28 The office shall examine all relevant information regarding
29 the provision of just compensation including, but not limited
30 to, the experience of the state and any of its agencies in
31 removing lawfully erected signs and providing just

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1 compensation. The office shall present a report of its
 2 findings and recommendations to the President of the Senate,
 3 the Speaker of the House of Representatives, Minority Leaders
 4 of the Senate and House of Representatives, and the chairs of
 5 the House of Representatives and Senate Transportation
 6 Committees, the House of Representatives Community Affairs
 7 Committee and the Senate Comprehensive Planning, Local and
 8 Military Affairs Committee by July 1, 2001.

9 (4) Nothing contained herein shall affect or impair
 10 the provisions of any agreement in existence on July 1, 2001,
 11 executed by a municipality, county, local zoning authority, or
 12 other local governmental entity and the owner of a lawfully
 13 erected sign or signs.

14 (8)(6) The provisions of subsections(3), (4), and
 15 (5), (6), and (7)of this section shall not apply within the
 16 jurisdiction of any municipality which is engaged in any
 17 litigation concerning its sign ordinance on April 23, 1999,
 18 nor shall such provisions apply to any municipality whose
 19 boundaries are identical to the county within which said
 20 municipality is located.

21
 22 (Redesignate subsequent sections.)

23
 24
 25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 3, line 16, following the semicolon

28
 29 insert:

30 amending s. 479.15, F.S.; revising guidelines
 31 on local government removal of signs along

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1 highways and roads; requiring a study by the
2 Office of Program Policy Analysis and
3 Government Accountability;
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