

Amend CSHB 7 by adding the following new SECTION, appropriately numbered, and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subtitle H, Title 6, Transportation Code, is amended by adding Chapter 398 to read as follows:

CHAPTER 398. REGULATION OF OFF-PREMISE SIGNS AND
OUTDOOR ADVERTISING GENERALLY

Sec. 398.001. DEFINITIONS. In this chapter:

(1) "Off-premise sign" has the meaning assigned by
Section 391.251.

(2) "Outdoor advertising" has the meaning assigned by
Section 391.001.

Sec. 398.002. RELOCATION OF OUTDOOR ADVERTISING BECAUSE OF
CONSTRUCTION OR OBSTRUCTION. (a) If any outdoor advertising use,
structure, or permit may not be continued because of widening,
construction, or reconstruction of a highway, the owner of the
outdoor advertising is entitled to relocate the use, structure, or
permit to another location:

(1) on the same property;

(2) on adjacent property;

(3) if the outdoor advertising is within a
municipality or the extraterritorial jurisdiction of a
municipality, within that municipality or its extraterritorial
jurisdiction; or

(4) on the same highway not more than 50 miles from the
previous location.

(b) Relocation under this section shall be in accordance
with applicable spacing requirements under this subtitle and shall
be to a location where outdoor advertising is permitted under
Section 391.031.

(c) If the view and readability of outdoor advertising are
obstructed due to a noise abatement or safety measure, a grade
change, construction, vegetation, an aesthetic improvement made by
an agency of this state, a directional sign, or widening along a
highway, the owner of the sign may:

(1) adjust the height of the sign; or

(2) relocate the sign to a location that complies with

the spacing requirements under this chapter and in which outdoor advertising is permitted under Section 391.031.

(d) A county or municipality in which the outdoor advertising is located shall, if necessary, provide for the height adjustment or relocation by a special exception to any applicable zoning ordinance.

(e) Notwithstanding any height requirements established under this subtitle, the adjusted or relocated outdoor advertising may be erected to a height and angle to make it clearly visible to traffic on the main-traveled way of the highway and must be the same size as the previous sign.

Sec. 398.003. PROHIBITION OF OUTDOOR ADVERTISING. A governmental entity may not prohibit new outdoor advertising outside the jurisdiction or extraterritorial jurisdiction of a municipality.

Sec. 398.004. ACQUISITION OF PROPERTY THROUGH VOLUNTARY TRANSACTION. A governmental entity that acquires property by gift, purchase, agreement, or exchange may not require that lawfully erected outdoor advertising located on the property be altered or removed from the property without the payment of just compensation.